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04/06/2009

**CARGILL INCORPORATED'S
AMENDED RESPONSE TO EPA'S
104(e) REQUESTS FOR THE
PORTLAND HARBOR SITE**

And

**FOLLOW-UP INFORMATION
RESPONSE TO FIRST REQUEST
FOR INFORMATION**

04/06/09

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April 6, 2009

VIA FEDEX

Kristin E. Koch
Remedial Project Manager
U.S. Environmental Protection Agency, Region X
Office of Environmental Cleanup, ECL-115
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

Re: Portland Harbor Superfund Site Portland, Oregon
Cargill Incorporated's Amended Response to EPA's First Request for
Information from Cargill, Inc., and Cargill's Response to EPA's Follow
up Information Request

Dear Ms. Koch:

Please find enclosed with this correspondence Cargill Incorporated's Amended Responses to EPA's First Request for Information and Cargill Incorporated's Responses to EPA's Follow Up Information Request. The enclosed information is provided in response to EPA's letter of March 4th, 2009. Also enclosed are two CDs of the documents relied on by Cargill and referenced in its responses. The First CD has the documents organized by document label such as "T-40024-25." The second CD has the same documents organized by Bates Number such as CARG000652-CARG000661.

In an effort to address the issues raised by EPA in its letter of March 4th, 2009, Cargill has answered each question individually in a stand alone manner. This has resulted in a lengthy and detailed response from Cargill. Although not required, Cargill has provided an index of the response and tabbed the individual questions. Cargill's responses to the Follow Up Information Request are contained at the end of the notebook.

CALIFORNIA COLORADO KANSAS MISSOURI NEW YORK

Kristin E. Koch
April 6, 2009
Page 2

Very truly yours,

LATHROP & GAGE LLP

By: 

William F. Ford

WFF:bkr

Enclosures

cc: Kim Thorstad (w/out enclosures)
Lori Houck Cora, U.S. EPA (w/out enclosures)

CARGILL INCORPORATED'S AMENDED RESPONSE TO EPA'S 104(e) REQUESTS FOR THE PORTLAND HARBOR SITE

04/06/09

Scope of Amended Response

Cargill Incorporated (hereinafter "Cargill" or "Respondent") originally responded to EPA's January 18, 2008 104(e) information request on October 13, 2008. By letter of March 4, 2009, EPA requested that Cargill provide an Amended Response to address certain issues raised by EPA, and also requested that Cargill answer additional Follow-up Information Requests. This document is the requested Amended Response to EPA's original 104 (e) request. Cargill's answers to the Follow-up Information Request are also contemporaneously provided with this Amended Response at the end of this document.

Cargill's Amended Response addresses the issues raised in EPA's March 4, 2009 correspondence and provides, as requested, more detailed and narrative responses to certain questions applicable to Respondent's operations.

EPA's letter of March 4, 2009, also includes a "List of Missing Documents" in which EPA identified 41 documents cited by Cargill in its Original Response which EPA did not locate in Cargill's provided documents. Respondent's review of the documents already provided by Cargill in its Original Response reflects that in fact, almost all the documents identified as "missing" were actually provided by Cargill in its Original Response. However, in an effort to make those referenced documents more apparent and locatable in this Amended Response Cargill has referenced all documents by their individual Bates number (for example CARG 000552) rather than solely by document title or file name. The few documents which were listed but not included with the Original Response, had been removed as duplicative or non-responsive from Respondent's Original Response but had been neglected to be removed from the document list. All documents referenced in this Amended Response are provided with this Amended Response..

EPA's letter of March 4, 2009, also lists 33 documents that were provided with Cargill's Original Response but allegedly not referenced in the Original Response. These documents were originally provided by Cargill to be thorough in its supporting documentation, and several of them were duplicative of other documents specifically referenced. This Amended Response makes specific reference to all 33 documents, again by Bates number for clarity.

As requested, Cargill has reformatted all electronic documents provided with this Amended Response to be provided to EPA in PDA format, and has "bookmarked" documents longer than 10 pages. Cargill has attempted to provide self contained narrative responses to all questions, and has specifically cross referenced the supplemental documents provided to EPA on October 24, 2008. A few additional documents have also been provided for the first time with this Amended Response.

Cargill has provided the requested corporate information in response question 77 for all Cargill entities associated with the Portland Harbor site. In addition, rather than direct EPA to a web site listing and providing information on the over 80 other Cargill related entities, Cargill has listed all those entities in response to question 77, even though those entities are unrelated to the Portland Harbor site.

Given that this Amended Response provides complete narrative responses to each question without necessary cross reference to other responses, and given that many questions call for the same or similar information, this response by Cargill is lengthy. Although not requested by EPA, in an effort to facilitate review, Cargill has provided an index of this Amended Response and the response to the Follow-up Information Request so that the specific responses to individual questions may be more easily located.

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Introductory Narrative

This response is on behalf of Cargill and its wholly owned subsidiaries and not on behalf of any other entity. Cargill's response is based on a good faith effort collecting and reviewing voluminous records gathered by Cargill covering more than 50 years worth of operations, as well as interviews with certain current and former Cargill employees. This response is based on the best available information available at this time and a diligent good faith effort to gather such information. This response is also supported by the documents referenced herein and provided herewith. As allowed by EPA in its modification to the original instructions, those documents have been provided in an electronic form with this response. Given the fact most of Cargill's operations within the Study Area ended many years ago, certain information and documents concerning these sites is no longer available. Cargill retains the right to amend or supplement these responses if additional information becomes available.

Introduction and Summary of Response

Cargill's core business operations worldwide, and its primary business in the Portland, Oregon area involve the production, storage and manufacturing of food and feed for human and animal consumption. Cargill has had business locations in the Portland Harbor Investigation Area from 1954 to the present. With the exception of office space, all but one of Cargill's operations within the Portland Harbor Investigation Area ended no later than 2001, with many operations having ended much sooner.

Over the years, Cargill may have been associated with nine (9) locations within the Portland Harbor Investigation Area. Those locations and operations are summarized in the attached spreadsheet, CARG003685 – CARG003686, and the uses of those locations have ranged from office space to parking lots and grain storage and export facilities. Cargill's waste or trash from these locations has been incidental to the specific type of operations involved and therefore has consisted primarily of waste grain, along with general non-hazardous trash incident to operations. Cargill has not routinely handled anything more than incidental quantities of hazardous substances at these locations.

The location within the Portland Harbor Investigation Area with Cargill's longest operational presence is Cargill's former operations at its T4 terminal leasehold. That location is owned by the Port of Portland and was the subject of a comprehensive Environmental Site Assessment by the subsequent tenant in 2003. That Assessment fully articulates the environmental history and condition of that property.

The 9 historic locations potentially related to Cargill within the Portland Harbor Investigation Area discussed in more detail in this response are:

1. Terminal 4, grain elevator, oilseeds export and stevedoring. Cargill Incorporated operations at 11000 Lombard Ave, and Rogers Terminal and Shipping operations at 11040 N. Lombard Ave.
2. Globe/"O" dock, grain terminal N. Holladay Street
3. Irving dock, grain elevator, oilseeds export 800 N. River Street
4. Northwestern dock, grain storage N. Failing Street
5. Office Space and molasses storage 12005 N. Burgard Street
6. Fremont 1, office space 1750 NW Naito Pkwy
7. Fremont 2, office space 1650 NW Front Ave.
8. Albina/Kerr Gifford dock, address unknown
9. Port O' Call complex, office space N. Channel Ave.

In order to make this response more useful, Cargill has responded to the specific questions with narratives responsive to the specific questions and sections, as well as with a spreadsheet of the most relevant facts for each location. Most of the responses focus on two Cargill related locations in the Portland Harbor Investigation Area. These two locations are Cargill's former T4 leasehold and Irving Dock. Some facilities are not responded to for certain questions because there is a lack of any relevant information regarding that facility for that question. These other locations are either primarily office space locations (Fremont1, Fremont 2, Port O' Call, Burgard): or locations where Cargill has limited information given the time period of the alleged Cargill related operations (Northwestern Dock, Albina/Kerr Gifford Dock, O Dock).

INFORMATION REQUEST QUESTIONS

GENERAL STATEMENT:

AFTER REASONABLE INQUIRY, CARGILL HAS DILIGENTLY ATTEMPTED TO ANSWER THESE REQUESTS TO THE BEST OF ITS ABILITY WITH AVAILABLE INFORMATION. NUMEROUS QUESTIONS ARE AMBIGUOUS OR CONFUSING, BUT RATHER THAN REFUSE TO ANSWER THE QUESTIONS, CARGILL HAS ANSWERED THEM TO THE BEST OF ITS ABILITY USING THE ORDINARY AND PRESUMED MEANING OF TERMS. AS AN EXAMPLE, NUMEROUS QUESTIONS REFER TO THE HANDLING OR PRESENCE OF "MATERIALS". GIVEN THAT CARGILL IS A FOOD AND FEED BUSINESS WHICH HANDLED MULTIPLE TONS OF MATERIALS SUCH AS GRAIN OR FEED EVERY DAY, CARGILL HAS ASSUMED SUCH QUESTIONS DO NOT GENERALLY CALL FOR INFORMATION ON HANDLING OF SUCH BENIGN MATERIALS. RATHER, CARGILL HAS GIVEN SUCH TERMS THEIR ORDINARY MEANING IN THE CONTEXT OF THIS ENVIRONMENTAL MATTER.

Section 1.0 Respondent Information

1. Provide the full legal, registered name and mailing address of Respondent.

RESPONSE:

Cargill, Incorporated
15615 McGinty Road West
Wayzata, MN 55391-2398

2. For each person answering these questions on behalf of Respondent, provide:
 - a. full name;
 - b. title;
 - c. business address; and
 - d. business telephone number, electronic mail address, and FAX machine number.

RESPONSE: Kimberly Thorstad
Sr. Attorney
15407 McGinty Road West, MS 24
Wayzata, MN 55391
Phone: 952-742-0178
Fax: 952-367-1639
e-mail: kimberly_thorstad@cargill.com

Karen S. Farago
Sr. Environmental Paralegal, Law Department
15407 McGinty Road West, MS 24
Wayzata, MN 55391
Phone: 952-742-0178
Fax: 952-367-1639
e-mail: karen_farago@cargill.com

Additional persons consulted in gathering information responsive to the questions include:

Gene Loffler
(former Cargill Employee)
Operations Manager
CLD Pacific Grain, LLC
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Portland, OR 97201
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Fax: 503-243-5079
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Doug Dunlay
Vice, President, Grain Operations Manager
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Dennis Klein
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Terry Johnson
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Wayzata, MN 55391
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3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.

RESPONSE:

Future correspondence on this matter should be referred to outside counsel for Cargill Incorporated in this matter,

William Ford
Lathrop & Gage, LLC
2345 Grand Boulevard
Kansas City, MO, 64108
Phone: 816-460-5817
Fax: 816-292-2001
e-mail address wford@lathropgage.com

Section 2.0 Owner/Operator Information

4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 – Present). Please note that this question includes any aquatic lands owned or leased by Respondent.

RESPONSE:

- A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland
- B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland
- C. Fremont Place I Office Space, 1750 NW Naito Parkway, Suite #120, Portland
- D. Fremont Place II, 1650 NW Front Ave. Parkway, Suite #120, Portland
- E. Irving Dock, 800 N. River Street
- F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland
- G. Albina Dock/ Kerr Gifford Dock
- H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland
- I. Port O' Call Complex, N. Channel Avenue, Portland
- J. Northwest(ern) Dock, Foot of N. Falling Street, Portland

See Chart of Cargill Locations – CARG003685 – CARG003686

5. Provide a brief summary of Respondent's relationship to each Property listed in Response to Question 4 above, including the address, Multnomah County Alternative Tax Lot Identification numbers(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland, Multnomah County Alternative Tax Lot Identification number R323798:

Documents reviewed by Cargill indicate that Kerr Gifford leased T-4 Leasehold from the Secretary of War from 1942-1947. Kerr Gifford & Co., Inc. leased portions of T-4 (hereinafter, the "Cargill T-4 leasehold") from the Port of Portland beginning in 1947. Multiple leases were entered into between Kerr Gifford and the City between 1947 and 1954 covering the original facility and additional grain elevators constructed as an annex to the original facility.

Kerr Gifford was purchased by Cargill in 1953. All interests under Kerr Gifford's lease were transferred to Cargill in October 1954. Cargill continued to lease the property from the Port of Portland until December 4, 2003. Cargill subleased the property to CLD Pacific Grain from December 3, 2001 to June 10, 2003. Cargill's operations at the T-4 leasehold included bulk grain handling and shipping.

(T-4 0024-25): Clips from lease between Secretary of War and Kerr Gifford beginning July 1, 1942; CARG000652 - CARG000661

(T-4 0016): Addendum to lease between City and Kerr Gifford 8/5/54 - CARG000572 - CARG000575

(T-4 0012-13): Letters from Commission of Public Docks re lease of T-4; September 1956, August 1955 - CARG000568 - CARG000571

(T-4 0011): Letter from Commission of Public Docks to Cargill regarding extension of lease of coal bunkers; 12/19/58 - CARG000566 - CARG000567

(T-4 0009): Record of Lease and Purchase Agreement 1/29/59 - CARG000562 - CARG000563

(T-4 0020): Letter from Commission of Public Docks to Gifford regarding terms of lease 6/28/51 - CARG000589 - CARG000591

(T-4 0021): Agreement between City of Portland and Kerr Gifford, leasing certain structures to Kerr Gifford from 1951-56; 3/12/51 - CARG000592 - CARG000611

(T-4 0023): Letter from City to Kerr Gifford regarding agreement to lease facility from June 15, 1950 - June 14, 1951; 6/20/50 - CARG000649 - CARG000651

(Kerr 0020): Commitments of Stockholders to sell stock; May 1953 - CARG003414 - CARG003417

(Kerr 0018): Letters Between Cargill and Kerr Gifford Attorneys re Asset Sale; June and October 1953 - CARG003393 - CARG003397

(Kerr 0019): Agreement between Kerr Gifford and parties and Cargill re sale of shares; 6/1/53 - CARG003400 - CARG003413

(Kerr 0021): Escrow Agreement; June 1953 - CARG003418 - CARG003441

(Kerr 0003): Assignment of Stock; 1954 - CARG003348 - CARG003350

(Kerr 0034): Cargill Press Release re purchase of Kerr Gifford stock; 6/10/53 - CARG003469 - CARG003470

(Kerr 0007): Letter to Cargill re dissolution of Kerr Gifford; 2/14/55 - CARG003365 - CARG003373

(Kerr 0006): Assignment of Leases Document; 3/7/55 - CARG003357 - CARG003364

(T-4 0002): Letter from Commission of Public Docks to Cargill; Assignment of Lease; at T-4; Billing correction; 11/23/54 - CARG000488 - CARG000490

(T-4 0006, 0014): Assignment--Assigns rights and liabilities from Kerr Gifford to Cargill; 10/21-22/54, 11/13/54 - CARG000552 - CARG000555

(T-4 0017-18): Agreement between City and Cargill and Kerr Gifford outlining City's consent to transfer leasehold rights and liabilities to Cargill upon acquisition; 6/25/54 - CARG000576 - CARG000584

(Kerr 0011): Minutes of Special Meeting of Board of Directors of Kerr Gifford; 5/11/70 - CARG003379 - CARG003382

(Kerr 0012): Waiver of Notice of Special Meeting of Stockholders of Kerr Gifford; 5/11/70 - CARG003383 - CARG003388

(T-4 0004): Option and Add'l Agreement between City and Cargill giving Cargill 10 year option on lease from 1975-85; 2/28/58 - CARG000543 - CARG000547

(T-4 0085): Lease and Agreement Between Port of Portland and Cargill; 6/26/75 - CARG000857 - CARG000948

(T-4 0086): Letter from Port to Cargill regarding June 1975 Lease Agreement; 7/1/75 - CARG000949 - CARG000951

(T-4 0083): Permit granted by Port to Cargill to use certain premises related to T-4; 10/1/76 - CARG000852 - CARG000856

(T-4 0080): Supplemental Lease Agreement Between Port and Cargill; 1/1/80 - CARG000841 - CARG000847

(T-4 0066, 0077): Amendment No. 2 and Amendment No. 3 between Port of Portland and Cargill re Lease; 7/10/91; 3/13/92 - CARG000795 - CARG000807 and CARG000836 - CARG000838

(T-4 0048): Draft letter from Cargill to Port expressing desire to renew lease at T-4; 5/26/1995 - CARG000708 - CARG000709

(T-4 0076): Letter from Cargill to Port of Portland informing of desire to renew lease; 6/26/00 - CARG000834 - CARG000835

(T-4 0079): Letter from Cargill to Port re use of Site for storage; 3/21/80 - CARG000839 - CARG000840

(T-4 0038): Letter from Cargill to Port of Portland remitting payment as agreed upon to terminate leasehold; 12/4/03 - CARG000691 - CARG000696

(T-4 0051): Lease between Cargill and CLD Pacific Grain; 12/3/01 - CARG000714 - CARG000773

(T-4 0073, 0131): Letter from Cargill to Port of Portland informing that Cargill intends to terminate leases; 4/29/03; 12/19/03 - CARG000818 - CARG000820 and CARG001157 - CARG001160

(T-4 0058, 0125): Letter from Cargill to CLD Pacific Grain terminating sublease for T-4 and related letter; 6/10/03 - CARG000776 - CARG000777 and CARG001148 - CARG001149

(LAW # 2005957): Letter from CLD Pacific to Port of Portland regarding Termination of Leasehold for T-4; 10/14/03 - CARG001434 - CARG001436

(T-4 0071): Terms and Conditions for Lease Termination; 12/29/03 - CARG000810 - CARG000815

(T-4 0038): Letter from Cargill to Port of Portland remitting payment as agreed upon to terminate leasehold; 12/4/03 - CARG000691 - CARG000696

(T-4 0059): Conditional Consent to Sublease document from Cargill to CLD Pacific Grain - CARG000778 - CARG000783

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland, Multnomah County
Alternative Tax lot Identification number R961021100:

Rogers Terminal and Shipping is a business unit of Cargill Marine and Terminal, Inc. which is a wholly-owned subsidiary of Cargill, Incorporated. Rogers Terminal & Shipping leases space at 11040 N. Lombard Avenue Portland, Oregon.

Rogers Terminal began leasing office, warehouse, yard, and parking space from the Port of Portland at the T-4 leasehold in June 1983. Rogers Terminal continues to lease this site on a month to month basis. Rogers provides contract stevedoring services to several nearby grain elevators. Its operations involve the storage and delivery of plywood and poly and burlap tarps to nearby grain elevators. All stored materials are stored within the leased warehouse.

(Rogers Month to Month Lease) - 06/03/83 - CARG003500 -
CARG003507

(Rogers 0007) Lease of Improved Space; 12/13/89 - CARG003479 -
CARG003480

(Rogers 0004): Lease Data Sheet - CARG003473 - CARG003474

(Rogers 0005): Letter from Rogers to Port; Lease for Rogers Terminal
& Shipping at T-4; 1/27/93 - CARG003475 - CARG003476

Ash Creek Associates Report - CARG003687 - CARG003719

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. is a wholly-owned subsidiary of Cargill Marine and Terminal, Inc. Rogers Terminal currently leases office space at Fremont Place 1, 1750 NW Naito Parkway, Suite 103 Portland, Oregon. The space is leased from McMorgan Institutional Real Estate Fund LLC, commenced February 1, 2007 and extends through January 31, 2012. Rogers Terminal has no records of the Multnomah County Alternative Tax lot identification number for this location.

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. is a wholly-owned subsidiary of Cargill Marine and Terminal, Inc. Rogers Terminal leased office space at Fremont Place 2, 1650 NW Front Avenue Parkway, Suite 120 Portland, Oregon. The office space was leased from Phoenix Mutual Life Insurance beginning on February 1, 2000 and terminating on January 31, 2007. Phoenix Mutual sold this property to McMorgan Institutional Real Estate Fund in February 2002. Rogers Terminal has no records of the Multnomah County Alternative Tax lot identification number for this location.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave.
Phoenix Mutual Life Insurance Company, 1991 - CARG003515 -
CARG003516

E. Irving Dock, 800 N. River Street, Portland, Oregon, Multnomah County Alternative Tax Lot
Identification number R316269 & R514906:

Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. Beginning in June 2001, this property was leased by CLD Pacific from Cargill. Cargill reviewed documents prepared by the Lower Willamette Group which state that Sanborn maps indicate that

this property was formerly owned by Pacific Grain Co., Balfour-Guthrie and FH Peavey. Potential past owners or occupants of this facility also include:

- 1) Cargill, Inc. 7/14/1995-present
- 2) Bunge Corp. 1976-1995
- 3) Peavey Co. Grain Elevator 1970 to late 1970s
- 4) Oregon Bonded Grain Warehouse 1940-1960
- 5) Interior Warehouse Co. 1940-?
- 6) Balfour-Guthrie Co. 1924-1969
- 7) Irving Dock 1919-1960

This 6.2-acre facility extends roughly from river mile 11.4 to 11.6. A large mooring pier is located offshore. During Cargill's ownership of the property, the facility provided interim bulk storage for transfer of grain from trucks, rail cars, and barges. Main features on the site are reinforced concrete grain silos, conveyor systems, enclosed grain processing, a rail grain dump station, and a truck grain dump station and shipping and unloading equipment.

(Irving 0044): Lease Agreement Between Cargill and CLD Pacific;
12/03/01 - CARG002568 - CARG002617

(Irving 0035--0039): Lease Agreement between Cargill and CLD Pacific;
11/30/01 - CARG002502 - CARG002542

(Irving 0064, 0066-0067): Consent to Assignment between Union Pacific and CLD Pacific;
8/19/02, 3/19/02 - CARG002708 - CARG002711; CARG002414 - CARG002719

(Irving 0078, 0079): Letters from Cargill to Bunge re Purchase of Grain Terminal Facility;
8/7/95, 7/24/95 - CARG002755 - CARG002761

(Irving 0080): Assignment of Agreements between Cargill and Bunge;
7/14/95 - CARG002762 - CARG002767

(Irving 0087): Warranty Deed-Statutory Form - CARG002782 - CARG002789

(Irving 0088): Policy of Title Insurance - CARG002790 - CARG002802

(Irving 0092): Purchase and Sale Agreement between Bunge and Cargill;
7/14/95 - CARG002803 - CARG002880

(Irving 0093): Certification of Nonforeign Status by Corporate Officer;
6/28/95 - CARG002881 - CARG002885

(Irving 0094-0097): Letters between Bunge and Cargill re Purchase and Sale Agreement; Owners/Sellers Affidavit
7/14/95 - CARG002886 - CARG002898

(Irving 0098): Bill of Sale; 7/14/95 - CARG002899 - CARG002910

(Irving 0099-0100): Assignment of Agreements between Cargill and Bunge;
7/14/95 - CARG002911 - CARG002918

(Irving 0108): Appendix to Non-Disclosure and Intellectual Property Ownership Provisions; 6/3/02 - CARG002930 - CARG002931

Irving Acquisition Documents CARG003249 – CARG003298

Irving Dock Site Plan – CARG004114 – CARG004125

Site Map – CARG004126

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland, Oregon 97227, Multnomah County Alternative Tax lot Identification number R610375:

Kerr Gifford originally purchased this dock from Union Pacific for a grain terminal elevator. Kerr Gifford was purchased by Cargill in 1953. In December 1956, Cargill sold the property to Leval & Company, which then changed names to Louis Dreyfus Corp. Louis Dreyfus Corp. then leased the dock to CLD Pacific Grain.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD Pacific Grain; 12/3/01 – CARG003230 - CARG003248

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re property specs - CARG003451 - CARG003466

(Albina and Globe 0008): Termination Rider; 1/28/55 - CARG003517 - CARG003519

(Albina and Globe 0009-0010): Supp. Agreement Between Union Pacific and Kerr Gifford; 11/12/54, Hand Written Note release - CARG003520 - CARG003526

(Albina and Globe 0014): Extension Riders dated 8/17/42 and 8/12/44 extending Agreement to 8/16/45 - CARG003537 - CARG003540

(Albina and Globe 0015): Agreement Between Union Pacific and Kerr Gifford; 8/17/42 - CARG003541 - CARG003556

(Albina and Globe 0017): Agreement Between Union Pacific and Kerr Gifford; 8/17/47 - CARG003559 - CARG003570

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

(Albina and Globe 0020-0024): Agreements between Terminal Flour Mills and Kerr Gifford re transfer of real property 5/29/42, 11/22/41 – CARG003577 - CARG003601

(Albina and Globe 0026): Letter from Schafer, Cronan, and Nelson to Level and Co., Inc. 12/10/56 re property transfer - CARG003602 - CARG003603

(Albina and Globe 0033): Letter Regarding Sale of Property to Leval Co.; 10/16/56 - CARG003628 - CARG003631

(Albina and Globe 0045 -0046): Bargain and Sale Deeds; 1/18/55; -
CARG003665 - CARG003678

G. Albina Dock/ Kerr Gifford Dock:

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Cargill has no other information concerning this location.

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy -
CARG003679 - CARG003684

(Albina and Globe 0040 and 0042): Quit Claim Deeds; 3/28/55; 2/28/55
- CARG003638 - CARG003641 and CARG003651 - CARG003655

(Albina and Globe 0043 - 0044): Bargain and Sale Deeds; 11/12/54 -
CARG003656 - CARG003664

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

Cargill, Inc. leased office and tank storage space for its Molasses Liquid Products Division at 12005 N. Burgard Street, Portland from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Northwest Terminal Company was an "additional insured" on the insurance instrument for this lease.

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill,
Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland:

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998.

(Corporate Authority to Do Business 001 pp. 27 - 30) Amended
Business Name Registration Renewal CARG000031 - CARG000034

(Corporate Authority to Do Business 005 & 006) EPA Response
Corporation - CARG000140 - CARG000141, CARG00142 -
CARG00143

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

Cargill's review of available documentation indicates that this property was located "at the foot of Failing Street" Portland, Oregon. Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. The lease was terminated one month early at the request of Kerr Gifford. Kerr Gifford also subleased space at this location to Crown Zellerback for paper rolls storage from March 25, 1953 to August 17, 1954.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

6. Identify any persons who concurrently with you exercises or exercised actual control or who held significant authority to control activities at each Property, including:
- a. partners or joint ventures;
 - b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);
 - c. any person subleasing land, equipment or space on the Property;
 - d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;
 - e. major financiers and lenders;
 - f. any person who exercised actual control over any activities or operations on the Property;
 - g. any person who held significant authority to control any activities or operations on the Property;
 - h. any person who had a significant presence or who conducted significant activities at the Property; and
 - i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Documents reviewed by Cargill indicate that Kerr Gifford leased the T-4 leasehold from the Secretary of War from 1942-1947. Kerr Gifford & Co., Inc. leased the T-4 leasehold from the Port of Portland beginning in 1947. Multiple leases were entered into between Kerr Gifford and the City between 1947 and 1954 covering the original facility and additional grain elevators constructed as an annex to the original facility. Kerr Gifford was purchased by Cargill in 1953.

In September 1957, Cargill granted a license to Flour Mill Company of Portland, Oregon to use the area between the T-4 elevator and Flour Mills operation for parking to Flour Mill employees. In March 1980, Cargill granted permission to the Port of Portland to use Parcel II, as described in the lease, for storage of cargo.

ATC Environmental Site Assessment, December 4, 2003; Section 6.7
Waste Generations, Storage, and Disposal, pp. 37 – 38 - CARG001482
and CARG1483

Cargill also used contract pesticide service providers.

From 1989 to 1999, Spencer Environmental Services, Inc. of Oregon City, Oregon came on to the property to remove and dispose of waste oil on an annual basis. In February of 1998, Van Waters & Rogers came on the property to dispose of various out-of-date chemicals.

ATC Environmental Site Assessment, December 4, 2003; Section 6.7
Waste Generations, Storage, and Disposal, pp. 37 – 38 - CARG001482
and CARG1483

Cargill subleased the property to CLD Pacific Grain from December 3, 2001 to June 10, -
2003.

As part of its decommissioning activities in 2003, stained soils contaminated with hydraulic oil were found in the area around a storage shed and the C-11 Hydraulic Room. Cargill contracted with MACTEC to perform a rigorous site characterization and the required contaminated soils excavation based on its investigation. MACTEC believed the source of the oil to be hydraulic oil, but no specific spill was known to have occurred.

(T-4 0113): Work Order No. 03-0017 between MACTEC and Cargill
for Soils Clean-Up; 1/27/03 - CARG001099 - CARG001101

(LAW #2006022): Professional Services Order No. 03-0190 -
Agreement Between MACTEC and Cargill for T-4; 10/16/03 -
CARG001437 - CARG001441

ATC Environmental Site Assessment, December 4, 2003 – pp. 37-38
Section 6.7 – Waste Generation Storage & Disposal - CARG001482 -
CARG001383

(T-4 0106): Soil Recycling Certificate; 12/16/03 - CARG001072 -
CARG001073

(T-4 0009): Record of Lease and Purchase Agreement 1/29/59 –
CARG000562 - CARG000563

(T-4 0004): Option and Add'l Agreement between City and Cargill
giving Cargill 10 year option on lease from 1975-85; 2/28/58 -
CARG000543 - CARG000547

(T-4 0006, 0014): Assignment--Assigns rights and liabilities from Kerr
Gifford to Cargill; 10/21-22/54, 11/13/54 - CARG000552 -
CARG000555

(T-4 0051): Lease between Cargill and CLD Pacific Grain; 12/3/01 -
CARG000714 - CARG000773

(T-4 0058, 0125): Letter from Cargill to CLD Pacific Grain terminating sublease for T-4 and related letter; 6/10/03 - CARG000776 - CARG000777 and CARG001148 - CARG001149

(T-4 0066, 0077): Amendment No. 2 and Amendment No. 3 between Port of Portland and Cargill re Lease; 7/10/91; 3/13/92 - CARG000795 - CARG000807 and CARG000836 - CARG000838

(T-4 0079): Letter from Cargill to Port re use of Site for storage; 3/21/80 - CARG000839 - CARG000840

(T-4 0083): Permit granted by Port to Cargill to use certain premises related to T-4; 10/1/76 - CARG000852 - CARG000856

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Rogers Terminal began leasing office, warehouse, yard, and parking space from the Port of Portland at the T-4 leasehold in June 1983. Rogers Terminal continues to lease this site on a month to month basis.

(Rogers Month to Month Lease) - 06/03/83 – CARG003500 – CARG003507

(Rogers 0002): CARG003471 – CARG003472

(Rogers 0004): Lease Data Sheet - CARG003473 - CARG003474

(Rogers 0005): Letter from Rogers to Port; Lease for Rogers Terminal & Shipping at T-4; 1/27/93 - CARG003475 - CARG003476

(Rogers 0007 and 0008): Lease of Improved Space; Between Rogers and Port; 12/13/89; with attachments - Environmental Review, Hahn and Associates, Oct. 30, 1989 - CARG003479 – CARG3480 and CARG004127 – CARG004184

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal currently leases office space at Fremont Place 1, 1750 NW Naito Parkway, Suite 103 Portland, Oregon. The space is leased from McMorgan Institutional Real Estate Fund LLC, commenced February 1, 2007 and extends through January 31, 2012.

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

Rogers Terminal leased office space at Fremont Place 2, 1650 NW Front Avenue Parkway, Suite 120 Portland, Oregon. The office space was leased from Phoenix Mutual Life Insurance, commenced February 1, 2000 and terminated January 31, 2007. Phoenix Mutual sold this property to McMorgan Institutional Real Estate Fund in February 2002.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave., Phoenix Mutual Life Insurance Company, 1991 - CARG003515 - CARG003516

E. Irving Dock, 800 N. River Street, Portland:

Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. Since 1977, prior to Cargill's acquisition of the property, Bunge granted an easement for Union Pacific Railroad to build and maintain trackage on this property. The trackage would be owned by Union Pacific and Union Pacific would maintain this easement for its use. In 1996, Bunge assigned its interests in that agreement to Cargill. Beginning in June 2001, Irving Dock has been leased by CLD Pacific from Cargill, and CLD Pacific continues to lease the property today. In 2001, Cargill transferred its interests in the easement agreement to CLD Pacific Grain. In addition to transferring the Union Pacific easement agreement, Cargill also transferred the following easements with its interest to CLD Pacific: a Private Roadway encroachment easement in favor of Union Pacific dated October 17, 1977, a Tug Services Agreement with Shaver Transportation dated July 28, 2000, a Service-U 1st Cleaning Purchase/Work Order, a Uniform Rental Agreement with Cantos, and a Locomotive Lease with Samuel Investment Properties, LLC.

(Irving 0053): Assignment and Assumption Agreement between Cargill and CLD Pacific; 12/3/01 - CARG002637 - CARG002643

In 2007, Cargill granted a permanent tunnel easement to the City of Portland to inspect and operate a subsurface sewer tunnel near the property.

(Irving 0065): Letter from Cargill to CLD Pacific re Assignment of Union Pacific Lease; 4/1/02 - CARG002712 - CARG002713

(Irving 0068): Letter from Cargill to Union Pacific re Consent to Conditional Assignment for Lease; 3/13/02 - CARG002720 - CARG002721

(Irving 0070, 0082; 0083): Agreements between Oregon Washington Railroad & Navigation Co. and Union Pacific re Private Roadway Encroachment; 10/17/77 - CARG002730 - CARG002735 and CARG002768 - CARG002779

(Irving 0071, 0072): Letters between Cargill and Union Pacific re Renewal Rider; related e-mails; June 2000 - CARG002736 - CARG002744

(Irving 0074): Renewal Rider Agreement between Cargill and Union Pacific; 2000 - CARG002745 - CARG002747

(Irving 0076): Letter from Union Pacific to Cargill re Private Roadway Encroachment; May 2000 - CARG002748 - CARG002751

(Irving 0077): Lease Audit Covering Use of RR Property; 2/1/96 - CARG002752 - CARG002754

(Irving 0063, 0069): Letters and attachments from Cargill to Union Pacific re Sublease of Facility and Assignment of Private Roadway Encroachment Agreement; 11/1/01, 1/5/02 - CARG002704 - CARG002707 and CARG002722 - CARG002729

(Irving 0059): Assignment of Agreements between Cargill and Bunge;
7/14/95 - CARG002692 - CARG002697

(Irving 0054, 0058, 0060, 0061): Assignments and Supplemental
Agreements between Union Pacific and Bunge re trackage; 2/1/96,
related documentation - CARG002644 - CARG002653; CARG002690 -
CARG002691; CARG002698 - and CARG002703

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0035--0039): Lease Agreement between Cargill and CLD
Pacific; 11/30/01 - CARG002502 - CARG002542

(Irving 0040): Permanent Tunnel Easement Between Cargill and Port of
Portland - CARG002543 - CARG002548

(Irving 0044): Lease Agreement Between Cargill and CLD Pacific;
12/03/01 - CARG002568 - CARG002617

(Irving 0049): Assignment between Union Pacific and Bunge; 2/1/96 -
CARG002621 - CARG002622

(Irving 0064, 0066-0067): Consent to Assignment between Union
Pacific and CLD Pacific; 8/19/02, 3/19/02 - CARG002708 -
CARG002711; CARG002414 - CARG002719

(Irving 0048, 0050, 0052): Assignment between Cargill and Union
Pacific concerning trackage; Related Documentation 1/10/77,
Assignment Between Cargill and Union Pacific concerning trackage;
4/14/83 - CARG002618 - CARG002620; CARG004213 -
CARG004218; and CARG002635 - CARG002636

(Irving 0051): Agreement Between Oregon Washington Railroad, Union
Pacific Railroad, and Bunge concerning trackage; CARG002623 -
CARG002634

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Kerr Gifford originally leased and purchased this dock from Union Pacific for a grain
terminal elevator. Kerr Gifford was purchased by Cargill in 1953. In December 1956, Cargill
sold the property to Leval & Company, which then changed names to Louis Dreyfus Corp.
Louis Dreyfus Corp. then leased the dock to CLD Pacific Grain.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re
property specs - CARG003451 - CARG003466

(Albina and Globe 0008): Termination Rider; 1/28/55 - CARG003517 -
CARG003519

(Albina and Globe 0009-0010): Supp. Agreement Between Union Pacific and Kerr Gifford; 11/12/54, Hand Written Note release - CARG003520 - CARG003526

(Albina and Globe 0014): Extension Riders dated 8/17/42 and 8/12/44 extending Agreement to 8/16/45 - CARG003537 - CARG003540

(Albina and Globe 0015): Agreement Between Union Pacific and Kerr Gifford; 8/17/42 - CARG003541 - CARG003556

(Albina and Globe 0017): Agreement Between Union Pacific and Kerr Gifford; 8/17/47 - CARG003559 - CARG003570

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

(Albina and Globe 0020-0024): Agreements between Terminal Flour Mills and Kerr Gifford re transfer of real property 5/29/42, 11/22/41 - CARG003577 - CARG003601

(Albina and Globe 0026): Letter from Schafer, Cronan, and Nelson to Level and Co., Inc. 12/10/56 re property transfer - CARG003602 - CARG003603

(Albina and Globe 0033): Letter Regarding Sale of Property to Leval Co.; 10/16/56 - CARG003628 - CARG003631

(Albina and Globe 0045 -0046): Bargain and Sale Deeds; 1/18/55; - CARG003665 - CARG003678

G. Albina Dock/ Kerr Gifford Dock:

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Cargill has no information concerning any persons who concurrently exercise or exercised actual control or who held significant authority to control activities at this location.

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

(Albina and Globe 0040 and 0042): Quit Claim Deeds; 3/28/55; 2/28/55 - CARG003638 - CARG003641 and CARG003651 - CARG003655

(Albina and Globe 0043 - 0044): Bargain and Sale Deeds; 11/12/54 - CARG003656 - CARG003664

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

Cargill, Inc. leased office and tank storage space for its Molasses Liquid Products Division at 12005 N. Burgard Street, Portland from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Northwest Terminal Company was an "additional insured" on the insurance instrument for this lease.

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill, Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland:

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998.

(Corporate Authority to Do Business 001) - pp. 27 - 30 - Amended
Business Name Registration Renewal - CARG000031 - CARG000034

(Corporate Authority to Do Business 005 & 006) - EPA Response
Corporation - CARG000140 - CARG000141, CARG00142 -
CARG00143

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

Cargill's review of available documentation indicates that this property was located "at the foot of Failing Street" Portland, Oregon. Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. Kerr Gifford also subleased space at this location to Crown Zellerback for paper rolls storage from March 25, 1953 to August 17, 1954.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 -
CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr
Gifford; 4/16/53 - CARG3532 - CARG003536

7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Documents reviewed by Cargill indicate that Kerr Gifford leased the T-4 leasehold from the Secretary of War from 1942-1947. Kerr Gifford & Co., Inc. leased the T-4 leasehold from the Port of Portland beginning in 1947. Multiple leases were entered into between Kerr Gifford and the City between 1947 and 1954 covering the original facility and additional grain elevators constructed as an annex to the original facility.

Kerr Gifford was purchased by Cargill in 1953. All interests under Kerr Gifford's lease were transferred to Cargill in October 1954. Cargill continued to lease the property from the Port of Portland until December 4, 2003. Cargill subleased the property to CLD Pacific Grain from December 3, 2001 to June 10, 2003.

(T-4 0002): Letter from Commission of Public Docks to Cargill;
Assignment of Lease; at T-4; Billing correction; 11/23/54 -
CARG000488 - CARG000490

(T-4 0006, 0014): Assignment--Assigns rights and liabilities from Kerr
Gifford to Cargill; 10/21-22/54, 11/13/54 - CARG000552 -
CARG000555

(T-4 0019): Agreement of Extension between Kerr Gifford and City
regarding construction of additional grain elevator; 5/14/54 -
CARG000585 - CARG000588

(T-4 0023): Letter from City to Kerr Gifford regarding agreement to
lease facility from June 15, 1950-June 14, 1951); 6/20/50 -
CARG000649 - CARG000651

(T-4 0024-25): Clips from lease between Secretary of War and Kerr
Gifford beginning July 1, 1942; CARG000652 - CARG000661

(T-4 0038): Letter from Cargill to Port of Portland remitting payment as
agreed upon to terminate leasehold; 12/4/03 - CARG000691 -
CARG000696

(T-4 0043): Lease; Cargill grants parking lease to Terminal employees;
9/26/57 - CARG000701 - CARG000703

(T-4 0045, 0124): Letter from Port of Portland to Cargill re Terms and Conditions for Lease Termination; 12/29/03 - CARG000705 - CARG000705 and CARG004207 - CARG004212

(T-4 0048): Draft letter from Cargill to Port expressing desire to renew lease at T-4; 5/26/1995 - CARG000708 - CARG000709

(T-4 0051): Lease between Cargill and CLD Pacific Grain; 12/3/01 - CARG000714 - CARG000773

(T-4 0058, 0125): Letter from Cargill to CLD Pacific Grain terminating sublease for T-4 and related letter; 6/10/03 - CARG000776 - CARG000777 and CARG001148 - CARG001149

(T-4 0059): Conditional Consent to Sublease document from Cargill to CLD Pacific Grain - CARG000778 - CARG000783

(T-4 0072): Letter from Cargill to CLD Pacific re Termination of Sublease at T-4; 6/10/03 - CARG000816 - CARG000817

(T-4 0073, 0131): Letter from Cargill to Port of Portland informing that Cargill intends to terminate leases; 4/29/03; 12/19/03 - CARG000818 - CARG000820 and CARG001157 - CARG001160

(T-4 0076): Letter from Cargill to Port of Portland informing of desire to renew lease; 6/26/00 - CARG000834 - CARG000835

(T-4 0079): Letter from Cargill to Port re use of Site for storage; 3/21/80 - CARG000839 - CARG000840

(T-4 0083): Permit granted by Port to Cargill to use certain premises related to T-4; 10/1/76 - CARG000852 - CARG000856

(Kerr 0003): Assignment of Stock; 1954 - CARG003348 - CARG003350

(Kerr 0006): Assignment of Leases Document; 3/7/55 - CARG003357 - CARG003364

(Kerr 0007): Letter to Cargill re dissolution of Kerr Gifford; 2/14/55 - CARG003365 - CARG003373

(Kerr 0011): Minutes of Special Meeting of Board of Directors of Kerr Gifford; 5/11/70 - CARG003379 - CARG003382

(Kerr 0012): Waiver of Notice of Special Meeting of Stockholders of Kerr Gifford; 5/11/70 - CARG003383 - CARG003388

(Kerr 0016): Memo re Kerr Gifford memberships; 11/17/54 - CARG003391 - CARG003392

(Kerr 0018): Letters Between Cargill and Kerr Gifford Attorneys re Asset Sale; June and October 1953 - CARG003393 - CARG003397

(Kerr 0019): Agreement between Kerr Gifford and parties and Cargill re sale of shares; 6/1/53 - CARG003400 - CARG003413

(Kerr 0020): Commitments of Stockholders to sell stock; May 1953 - CARG003414 - CARG003417

(Kerr 0021): Escrow Agreement; June 1954 - CARG003418 - CARG003441

(Kerr 0023-0024): Kerr Gifford Contract Categories - CARG003444 - CARG003450

(Kerr 0033): Letter to Dept. of Justice re Federal Warehouse Act; 1/11/54 - CARG003467 - CARG003468

(Kerr 0034): Cargill Press Release re purchase of Kerr Gifford stock; 6/10/53 - CARG003469 - CARG003470

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Rogers Terminal and Shipping is a business unit of Cargill Marine and Terminal, Inc. which is a wholly-owned subsidiary of Cargill, Incorporated. Rogers Terminal & Shipping leases space at 11040 N. Lombard Avenue Portland, Oregon.

Rogers Terminal began leasing office, warehouse, yard, and parking space from the Port of Portland at the T-4 leasehold in June 1983. Rogers Terminal continues to lease this site on a month to month basis.

(Rogers Month to Month Lease) - 06/03/83 - CARG003500 - CARG003507

(Rogers 0004): Lease Data Sheet - CARG003473 - CARG003474

(Rogers 0005): Letter from Rogers to Port; Lease for Gearlocker at T-4; 1/27/93 - CARG003475 - CARG003476

(Rogers 0007 and 0008): Lease of Improved Space; Between Rogers and Port; 12/13/89; with attachments - Environmental Review, Hahn and Associates, Oct. 30, 1989 - CARG003479 - CARG3480 and CARG004127 - CARG004184

(Rogers 0011 and 0012): Stock Conveyance Deed; Dec. 15, 1949 - CARG003481 - CARG003482 and CARG004185 - CARG004189

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. is a wholly-owned subsidiary of Cargill Marine and Terminal, Inc. Rogers Terminal currently leases office space at Fremont Place 1, 1750 NW Naito Parkway, Suite 103 Portland, Oregon. The space is leased from McMorgan Institutional Real Estate Fund LLC, commenced February 1, 2007 and extends through January 31, 2012.

(Corporate Authority to Do Business 005) CARG000140 - CARG000141

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. is a wholly-owned subsidiary of Cargill Marine and Terminal, Inc. Rogers Terminal leased office space at Fremont Place 2, 1650 NW Front Avenue Parkway, Suite 120 Portland, Oregon. The office space was leased from Phoenix Mutual Life Insurance, commenced February 1, 2000 and terminated January 31, 2007. Phoenix Mutual sold this property to McMorgan Institutional Real Estate Fund in February 2002.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave.
Phoenix Mutual Life Insurance Company, 1991 - CARG003515 -
CARG003516

E. Irving Dock, 800 N. River Street, Portland:

Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. Since 1977, prior to Cargill's acquisition of the property, Bunge granted an easement for Union Pacific Railroad to build and maintain trackage on this property. The trackage would be owned by Union Pacific and Union Pacific would maintain this easement for its use. In 1996, Bunge assigned its interests in that agreement to Cargill. Beginning in June 2001, Irving Dock has been leased by CLD Pacific from Cargill, and CLD Pacific continues to lease the property today. In 2001, Cargill transferred its interests in the easement agreement to CLD Pacific Grain. In addition to transferring the Union Pacific easement agreement, Cargill also transferred the following easements with its interest to CLD Pacific: a Private Roadway encroachment easement in favor of Union Pacific dated October 17, 1977, a Tug Services Agreement with Shaver Transportation dated July 28, 2000, a Service-U 1st Cleaning Purchase/Work Order, a Uniform Rental Agreement with Cintas, and a Locomotive Lease with Samuel Investment Properties, LLC. After a reasonable search of the documents, Cargill has not found copies of the original agreements referenced in this assignment between Cargill and CLD Pacific.

(Irving 0053): Assignment and Assumption Agreement between Cargill
and CLD Pacific; 12/3/01 - CARG002637 - CARG002643

In 2007, Cargill granted a permanent tunnel easement to the City of Portland to inspect and operate a subsurface sewer tunnel near the property.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0035--0039): Lease Agreement between Cargill and CLD
Pacific; 11/30/01 - CARG002502 - CARG002542

(Irving 0040): Permanent Tunnel Easement Between Cargill and Port of
Portland - CARG002543 - CARG002548

(Irving 0044): Lease Agreement Between Cargill and CLD Pacific;
12/03/01 - CARG002568 - CARG002617

(Irving 0049): Assignment between Union Pacific and Bunge; 2/1/96 -
CARG002621 - CARG002622

(Irving 0064, 0066-0067): Consent to Assignment between Union Pacific and CLD Pacific; 8/19/02, 3/19/02 - CARG002708 - CARG002711; CARG002414 - CARG002719

(Irving 0048, 0050, 0052): Assignment between Cargill and Union Pacific concerning trackage; Related Documentation 1/10/77, Assignment Between Cargill and Union Pacific concerning trackage; 4/14/83 - CARG002618 - CARG002620; CARG004213 - CARG004218; and CARG002635 - CARG002636

(Irving 0051): Agreement Between Oregon Washington Railroad, Union Pacific Railroad, and Bunge concerning trackage; CARG002623 - CARG002634

(Irving 0054, 0058, 0060, 0061): Assignments and Supplemental Agreements between Union Pacific and Bunge re trackage; 2/1/96, related documentation - CARG002644 - CARG002653; CARG002690 - CARG002691; CARG002698 - and CARG002703

(Irving 0059): Assignment of Agreements between Cargill and Bunge; 7/14/95 - CARG002692 - CARG002697

(Irving 0063, 0069): Letters and attachments from Cargill to Union Pacific re Sublease of Facility and Assignment of Private Roadway Encroachment Agreement; 11/1/01, 1/5/02 - CARG002704 - CARG002707 and CARG002722 - CARG002729

(Irving 0065): Letter from Cargill to CLD Pacific re Assignment of Union Pacific Lease; 4/1/02 - CARG002712 - CARG002713

(Irving 0078, 0079): Letters from Cargill to Bunge re Purchase of Grain Terminal Facility; 8/7/95, 7/24/95 - CARG002755 - CARG002761

(Irving 0080): Assignment of Agreements between Cargill and Bunge; 7/14/95 - CARG002762 - CARG002767

(Irving 0087): Warranty Deed-Statutory Form - CARG002782 - CARG002789

(Irving 0088): Policy of Title Insurance - CARG002790 - CARG002802

(Irving 0092): Purchase and Sale Agreement between Bunge and Cargill; 7/14/95 - CARG002803 - CARG002880

(Irving 0093): Certification of Nonforeign Status by Corporate Officer; 6/28/95 - CARG002881 - CARG002885

(Irving 0094-0097): Letters between Bunge and Cargill re Purchase and Sale Agreement; Owners/Sellers Affidavit 7/14/95 - CARG002886 - CARG002898

(Irving 0098): Bill of Sale; 7/14/95 - CARG002899 - CARG002910

(Irving 0099-0100): Assignment of Agreements between Cargill and Bunge; 7/14/95 - CARG002911 - CARG002918

(Irving 0108): Appendix to Non-Disclosure and Intellectual Property Ownership Provisions; 6/3/02 - CARG002930 - CARG002931

(Irving 0111): Limited Liability Company Agreement Between Cargill and Louis Dreyfus; 12/3/01 - CARG002948 - CARG002998

Irving Dock Site Plan – CARG004114 – CARG004125

Site Map – CARG004126

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Kerr Gifford originally purchased this dock from Union Pacific for a grain terminal elevator. Kerr Gifford was purchased by Cargill in 1953. In December 1956, Cargill sold the property to Leval & Company, which then changed names to Louis Dreyfus Corp. Louis Dreyfus Corp. then leased the dock to CLD Pacific Grain.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD Pacific Grain; 12/3/01 – CARG003230 - CARG003248

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re property specs - CARG003451 - CARG003466

(Albina and Globe 0008): Termination Rider; 1/28/55 - CARG003517 - CARG003519

(Albina and Globe 0009-0010): Supp. Agreement Between Union Pacific and Kerr Gifford; 11/12/54, Hand Written Note release - CARG003520 - CARG003526

(Albina and Globe 0014): Extension Riders dated 8/17/42 and 8/12/44 extending Agreement to 8/16/45 - CARG003537 - CARG003540

(Albina and Globe 0015): Agreement Between Union Pacific and Kerr Gifford; 8/17/42 - CARG003541 - CARG003556

(Albina and Globe 0017): Agreement Between Union Pacific and Kerr Gifford; 8/17/47 - CARG003559 - CARG003570

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

(Albina and Globe 0020-0024): Agreements between Terminal Flour Mills and Kerr Gifford re transfer of real property 5/29/42, 11/22/41 – CARG003577 - CARG003601

(Albina and Globe 0026): Letter from Schafer, Cronan, and Nelson to Level and Co., Inc. 12/10/56 re property transfer - CARG003602 - CARG003603

(Albina and Globe 0033): Letter Regarding Sale of Property to Leval Co.; 10/16/56 - CARG003628 - CARG003631

(Albina and Globe 0045 -0046): Bargain and Sale Deeds; 1/18/55; -
CARG003665 - CARG003678

(Albina and Globe 0036-0037): Letter regarding transfer of property to
Cargill; 2/21/55 and 2/8/55 – CARG003632 - CARG003637

(Albina and Globe 0041): Assignment; Covering pipe; 1/29/51 -
CARG003642 - CARG003650

G. Albina Dock/ Kerr Gifford Dock:

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Cargill has no other information concerning this location.

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy -
CARG003679 - CARG003684

(Albina and Globe 0040 and 0042): Quit Claim Deed; 2/28/55 -
CARG003651 - CARG003655

(Albina and Globe 0043 - 0044): Bargain and Sale Deeds; 11/12/54 -
CARG003656 - CARG003664

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

Cargill, Inc. leased office and tank storage space for its Molasses Liquid Products Division at 12005 N. Burgard Street, Portland from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Northwest Terminal Company was an “additional insured” on the insurance instrument for this lease.

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill,
Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland:

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998.

(Corporate Authority to Do Business 001 pp. 27 – 30) Amended
Business Name Registration Renewal CARG000031 – CARG000034

(Corporate Authority to Do Business 005 & 006) EPA Response
Corporation - CARG000140 – CARG000141, CARG00142 –
CARG00143

J. Northwest(ern) Dock, Foot of N. Failing Street, Portland:

Cargill's review of available documentation indicates that this property was located "at the foot of Failing Street" Portland, Oregon. Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. The lease was terminated one month early at the request of Kerr Gifford. Kerr Gifford also subleased space at this location to Crown Zellerback for paper rolls storage from March 25, 1953 to August 17, 1954.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

See Chart of Cargill Locations - CARG003685 - CARG003686

8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Cargill is not the current owner or operator of this property. Prior to Cargill's lease of the property Cargill is not aware of any specific disposal or placement of hazardous substances or waste material on the Property. However, in 2002, as part of its lease termination activities at T-4, Cargill identified a past release of hydraulic oil around Building C-11 and performed a soils investigation and excavation project at that location. A total of 88.11 tons of soil were removed and destroyed in this project. Soil sampling results are included with this response.

(T-4 0143): Hydraulic Oil Contaminated Soils Cleanup - CARG001258-CARG001264.

ATC Environmental Site Assessment, December 4, 2003, App. C - Site Plan - CARG001504 - CARG001505.

ATC Environmental Site Assessment, December 4, 2003, App. J - Harding ESE Soil Sample Locations Map - CARG001930

ATC Environmental Site Assessment, December 4, 2003, App. J - MACTEC Soil Sample Results - CARG001931 - CARG001933

(T-4 0106): Soil Recycling Certificate - CARG001073

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

An environmental assessment of the Property was done by Hahn & Associates on October 30, 1989, prior to Rogers entering into a new 3-year lease of the property.

Hahn & Associates observed the probable presence of an underground storage tank. The tank was located in the area west of the old tire shop. This tank had never been used by Rogers Terminal and Shipping. Hahn & Associates estimated the tank to be a 10,000 gallon tank that was not registered with the Department of Environmental Quality. The Port agreed to remove the tank before Rogers' new lease commenced as an inducement to enter into the 3-year lease. The tank was removed by the Port in 1990.

An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility, but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop," where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514

C. Irving Dock, 800 N. River Street, Portland:

Cargill is the current owner of this property at 800 N. River Street, Portland. Beginning in June 2001, this property has been leased by CLD Pacific from Cargill. Cargill's knowledge of use of the property prior to its ownership is from pre-acquisition due diligence by Cargill and soils investigations conducted by Bunge regarding two (2) underground storage tanks (USTs) at the property.

Prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, December 17, 1991, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documentation on Irving Dock - CARG003333

9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Except as may be otherwise set forth herein, Cargill has found no information that any hazardous substances were ever disposed of or placed on the property. Respondent has found no records of investigations undertaken prior to Cargill acquiring its leasehold rights at T-4 in 1954.

B. Irving Dock, 800 N. River Street, Portland:

Cargill's knowledge of use of the property prior to its ownership is from pre-acquisition due diligence by Cargill and soils investigations conducted by Bunge regarding two (2) underground storage tanks (USTs) at the property.

Prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, December 17, 1991, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318, CARG003314 (question a.)

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documentation on Irving Dock - CARG003333

In addition, Irving Dock had and has three active, registered above-ground storage tanks.
They include:

1. Mineral Oil Tank: 10,000 gallons, double-wall containment, protected posts and a spill kit cabinet, located west of the rail dumper - Irving Dock Site Map – CARG004126;
2. Diesel Tank: 1,000 (Split 500 each side), double-wall containment, protected by Jersey Barriers, located north of the dust silos - Irving Dock Site Map – CARG004126, and
3. Hydraulic Oil Tank: 400 gallons, tank contained in outer tank that also supports motor and pump, located northwest of the truck dumper and office - Irving Dock Site Map – CARG004126

There have been no reported spills or leaks from any of the active above-ground storage tanks.

Although not an AST, there is also 110 gallon plastic container located on site. (Irving Dock Site Map – CARG004126). This vessel was historically used to store Malathion until Cargill ceased using Malathion in 1997.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:
 - a. the dates of ownership;
 - b. all evidence showing that they controlled access to the Property; and
 - c. all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Based on Respondent's review of the documents, the Secretary of War owned the property from at least 1942 to 1947, as documents reviewed by Respondent indicate that Kerr Gifford leased the T-4 leasehold from the Secretary of War from 1942-1947.

Documents also indicated that Kerr Gifford & Co., Inc. leased the T-4 leasehold from the Port of Portland beginning in 1947, and entered several leases with the City between 1947-1954. Cargill continued to lease the property after it purchased Kerr Gifford and acquired the Kerr Gifford leasehold interest in 1953 and continued to lease from the Port of Portland until December 4, 2003. Cargill understands that this location is still owned by the Port of Portland.

(T-4 0024-25): Clips from lease between Secretary of War and Kerr Gifford beginning July 1, 1942; CARG000652 - CARG000661

(T-4 0023): Letter from City to Kerr Gifford regarding agreement to lease facility from June 15, 1950-June 14, 1951); 6/20/50 - CARG000649 - CARG000651

(T-4 0020): Letter from Commission of Public Docks to Gifford regarding terms of lease 6/28/51 - CARG000589 - CARG000591

(T-4 0006, 0014): Assignment--Assigns rights and liabilities from Kerr Gifford to Cargill; 10/21-22/54, 11/13/54 - CARG000552 - CARG000555

(T-4 0002): Letter from Commission of Public Docks to Cargill; Assignment of Lease; at T-4; Billing correction; 11/23/54 - CARG000488 - CARG000490

(T-4 0012-13): Letters from Commission of Public Docks re lease of T-4; September 1956, August 1955 - CARG000568 - CARG000571

(T-4 0085): Lease and Agreement Between Port of Portland and Cargill; 6/26/75 - CARG000857 - CARG000948

(T-4 0009): Record of Lease and Purchase Agreement 1/29/59 - CARG000562 - CARG000563

(T-4 0017-18): Agreement between City and Cargill and Kerr Gifford outlining City's consent to transfer leasehold rights and liabilities to Cargill upon acquisition; 6/25/54 - CARG000576 - CARG000584

(T-4 0086): Letter from Port to Cargill regarding June 1975 Lease Agreement; 7/1/75 - CARG000949 - CARG000951

(T-4 0083): Permit granted by Port to Cargill to use certain premises related to T-4; 10/1/76 - CARG000852 - CARG000856

(T-4 0066, 0077): Amendment No. 2 and Amendment No. 3 between Port of Portland and Cargill re Lease; 7/10/91; 3/13/92 - CARG000795 - CARG000807 and CARG000836 - CARG000838

(T-4 0076): Letter from Cargill to Port of Portland informing of desire to renew lease; 6/26/00 - CARG000834 - CARG000835

(T-4 0073, 0131): Letter from Cargill to Port of Portland informing that Cargill intends to terminate leases; 4/29/03; 12/19/03 - CARG000818 - CARG000820 and CARG001157 - CARG001160

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Based on Cargill's review, Port of Portland has owned this location since 1989 and still owns it today. Rogers Terminal began leasing office, warehouse, yard, and parking space from the Port of Portland at the T-4 leasehold in June 1983. Rogers Terminal continues to lease this site on a month to month basis.

(Rogers Month to Month Lease) - 06/03/83 – CARG003500 – CARG003507

(Rogers 0004): Lease Data Sheet - CARG003473 - CARG003474

(Rogers 0005): Letter from Rogers to Port; Lease for Gearlocker at T-4; 1/27/93 - CARG003475 - CARG003476

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal currently leases office space at Fremont Place 1 from McMorgan Institutional Real Estate Fund LLC, commenced February 1, 2007 and extends through January 31, 2012. From Cargill's review of the documents, the property is apparently owned by McMorgan Institutional Real Estate Fund, LLC.

(Corporate Authority to Do Business 005) CARG000140 – CARG000141

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

The office space at Fremont Place II was leased from Phoenix Mutual Life Insurance, commencing on February 1, 2000 and terminating on January 31, 2007. Phoenix Mutual sold this property to McMorgan Institutional Real Estate Fund in February 2002.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave. Phoenix Mutual Life Insurance Company, 1991 - CARG003515 - CARG003516

E. Irving Dock, 800 N. River Street, Portland:

Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. Cargill reviewed documents prepared by the Lower Willamette Group which state that Sanborn maps indicate that this property was formerly owned by Pacific Grain Co., Balfour-Guthrie and FH Peavey. Potential past owners or occupants of this facility also include:

- 1) Cargill, Inc. 7/14/1995-present
- 2) Bunge Corp. 1976-1995
- 3) Peavey Co. Grain Elevator 1970 to late 1970s
- 4) Oregon Bonded Grain Warehouse 1940-1960
- 5) Interior Warehouse Co. 1940-?
- 6) Balfour-Guthrie Co. 1924-1969
- 7) Irving Dock 1919-1960.

(Irving 0059): Assignment of Agreements between Cargill and Bunge;
7/14/95 - CARG002692 - CARG002697

(Irving 0080): Assignment of Agreements between Cargill and Bunge;
7/14/95 - CARG002762 - CARG002767

(Irving 0078, 0079): Letters from Cargill to Bunge re Purchase of Grain
Terminal Facility; 8/7/95, 7/24/95 - CARG002755 - CARG002761

(Irving 0087): Warranty Deed-Statutory Form; 7/14/95 - CARG002782
- CARG002789

(Irving 0092): Purchase and Sale Agreement between Bunge and
Cargill; 7/14/95 - CARG002803 - CARG002880

(Irving 0093): Certification of Nonforeign Status by Corporate Officer;
6/28/95 - CARG002881 - CARG002885

(Irving 0094-0097): Letters between Bunge and Cargill re Purchase and
Sale Agreement; Owners/Sellers Affidavit 7/14/95 - CARG002886 -
CARG002898

(Irving 0098): Bill of Sale; 7/14/95 - CARG002899 - CARG002910

(Irving 0099-0100): Assignment of Agreements between Cargill and
Bunge; 7/14/95 - CARG002911 - CARG002918

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Union Pacific owned this property prior to the property's sale to Kerr Gifford in 1942. Kerr Gifford was purchased by Cargill in 1953. Cargill owned the property until December 1956, when it sold the property to Leval & Company, which then changed names to Louis Dreyfus Corp.

(Albina and Globe 0009-0010): Supp. Agreement Between Union Pacific and Kerr Gifford; 11/12/54, Hand Written Note release - CARG003520 - CARG003526

(Albina and Globe 0014): Extension Riders dated 8/17/42 and 8/12/44 extending Agreement to 8/16/45 - CARG003537 - CARG003540

(Albina and Globe 0015): Agreement Between Union Pacific and Kerr Gifford; 8/17/42 - CARG003541 - CARG003556

(Albina and Globe 0017): Agreement Between Union Pacific and Kerr Gifford; 8/17/47 - CARG003559 - CARG003570

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

(Albina and Globe 0020-0024): Agreements between Terminal Flour Mills and Kerr Gifford re transfer of real property 5/29/42, 11/22/41 - CARG003577 - CARG003601

(Albina and Globe 0026): Letter from Schafer, Cronan, and Nelson to Leval and Co., Inc. 12/10/56 re property transfer - CARG003602 - CARG003603

(Albina and Globe 0033): Letter Regarding Sale of Property to Leval Co.; 10/16/56 - CARG003628 - CARG003631

(Albina and Globe 0045 -0046): Bargain and Sale Deeds; 1/18/55; - CARG003665 - CARG003678

(Albina and Globe 0036-0037): Letter regarding transfer of property to Cargill; 2/21/55 and 2/8/55 - CARG003632 - CARG003637

(Albina and Globe 0041): Assignment; Covering pipe; 1/29/51 - CARG003642 - CARG003650

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re property specs - CARG003451 - CARG003466

(Albina and Globe 0030); Assignment; 11/14/51; Covering private roadway and road crossing - CARG003617 - CARG003622

(Albina and Globe 0008): Termination Rider; 1/28/55 - CARG003517 - CARG003519

(Albina and Globe 0028): Assignment; License to construct private way for pedestrians; 5/10/48 - CARG003607 - CARG003611

(Albina and Globe 0027): Assignment; 4/13/53 - CARG003604 - CARG003606

(Albina and Globe 0029); Assignment 11/26/51; Covering construction of pipeline - CARG003612 - CARG003616

(Albina and Globe 0026): Letter from Schafer, Cronan, and Nelson to Leval and Co., Inc. 12/10/56 re property transfer - CARG003602 - CARG003603

(Albina and Globe 0033): Letter Regarding Sale of Property to Leval Co.; 10/16/56 - CARG003628 - CARG003631

(Albina and Globe 0040): Quit Claim Deed; 3/28/55 - CARG003638 - CARG003641

G. Albina Dock/ Kerr Gifford Dock

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Cargill has no other information concerning prior ownership of this location.

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

(Albina and Globe 0042): Quit Claim Deed; 2/28/55 - CARG003651 - CARG003655

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland

Cargill, Inc. leased office space and tank storage space for its Molasses Liquid Products Division at this location from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Cargill has found no other information regarding prior owners of the property, but Northwest Terminal Company was and "additional insured" on the insurance instrument for the lease.

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill, Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998. From Cargill's review, Arthur Riedel d/b/a The Celtic Investment Co. owned the property from April 1, 1997 through February 15, 1998.

(Corporate Authority to Do Business 001 pp. 27 - 30) Amended Business Name Registration Renewal CARG000031 - CARG000034

(Corporate Authority to Do Business 005 & 006) EPA Response Corporation - CARG000140 - CARG000141, CARG00142 - CARG00143

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland

Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. Based on Cargill's review, Union Pacific Railroad owned the property from 1947-1959.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:
- a. the dates of operation;
 - b. the nature of prior operations at the Property;
 - c. all evidence that they controlled access to the Property; and
 - d. all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.

RESPONSE:

Except as set forth below with regard to leases at the Cargill T-4 Leasehold and at Irving, Cargill's information concerning operators of the properties is the same as Cargill's information concerning the owners of the properties as responded to in Question 10 above.

A. Cargill Terminal 4 Leasehold

Documents reviewed by Cargill indicate that Kerr Gifford leased the T-4 leasehold from the Secretary of War from 1942-1947. Kerr Gifford & Co., Inc. leased the T-4 leasehold from the Port of Portland beginning in 1947. Kerr Gifford was purchased by Cargill in 1953. All interests under Kerr Gifford's lease were transferred to Cargill in October 1954. Cargill continued to lease the property from the Port of Portland until December 4, 2003. Cargill has no further information about operations conducted on the property by the Secretary of War or the Port of Portland prior to Cargill's operations on the former leasehold.

CLD Pacific Grain subleased the property from Cargill from December 3, 2001 to June 10, 2003. CLD Pacific Grain operated the property as an export grain elevator, including originating, merchandising, storing, drying, handling, cleaning, elevating, transporting and selling grain.

(T-4 0024-25): Clips from lease between Secretary of War and Kerr Gifford beginning July 1, 1942; CARG000652 - CARG000661

(T-4 0023): Letter from City to Kerr Gifford regarding agreement to lease facility from June 15, 1950-June 14, 1951); 6/20/50 - CARG000649 - CARG000651

(T-4 0020): Letter from Commission of Public Docks to Gifford regarding terms of lease 6/28/51 - CARG000589 - CARG000591

(T-4 0021): Agreement between City of Portland and Kerr Gifford, leasing certain structures to Kerr Gifford from 1951-56; 3/12/51 - CARG000592 - CARG000611

(T-4 0006, 0014): Assignment--Assigns rights and liabilities from Kerr Gifford to Cargill; 10/21-22/54, 11/13/54 - CARG000552 - CARG000555

(T-4 0016): Addendum to lease between City and Kerr Gifford 8/5/54 - CARG000572 - CARG000575

(T-4 0009): Record of Lease and Purchase Agreement 1/29/59 - CARG000562 - CARG000563

(T-4 0004): Option and Add'l Agreement between City and Cargill giving Cargill 10 year option on lease from 1975-85; 2/28/58 - CARG000543 - CARG000547

(T-4 0066, 0077): Amendment No. 2 and Amendment No. 3 between Port of Portland and Cargill re Lease; 7/10/91; 3/13/92 - CARG000795 - CARG000807 and CARG000836 - CARG000838

(T-4 0059): Conditional Consent to Sublease document from Cargill to CLD Pacific Grain - CARG000778 - CARG000783

(T-4 0058, 0125): Letter from Cargill to CLD Pacific Grain terminating sublease for T-4 and related letter; 6/10/03 - CARG000776 - CARG000777 and CARG001148 - CARG001149

(LAW # 2005957): Letter from CLD Pacific to Port of Portland regarding Termination of Leasehold for T-4; 10/14/03 - CARG001434 - CARG001436

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Based on Cargill's review, Port of Portland has owned this location since 1983 and still owns it today. Rogers Terminal began leasing office, warehouse, yard, and parking space from the Port of Portland at the T-4 leasehold in June 1983. Rogers Terminal continues to lease this site on a month to month basis.

(Rogers 0004): Lease Data Sheet - CARG003473 - CARG003474

(Rogers 0005): Letter from Rogers to Port; Lease for Gearlocker at T-4;
1/27/93 - CARG003475 - CARG003476

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal currently leases office space at Fremont Place 1 from McMorgan Institutional Real Estate Fund LLC, commenced February 1, 2007 and extends through January 31, 2012. From Cargill's review of the documents, the property is apparently owned by McMorgan Institutional Real Estate Fund, LLC.

(Corporate Authority to Do Business 005) CARG000140 – CARG000141

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

The office space at Fremont Place II was leased from Phoenix Mutual Life Insurance, commencing on February 1, 2000 and terminating on January 31, 2007. Phoenix Mutual sold this property to McMorgan Institutional Real Estate Fund in February 2002.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave.
Phoenix Mutual Life Insurance Company, 1991 - CARG003515 -
CARG003516

E. Irving Dock, 800 N. River Street, Portland:

Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. Since 1977, prior to Cargill's acquisition of the property, Bunge granted an easement for Union Pacific Railroad to build and maintain trackage on this property. The trackage would be owned by Union Pacific and Union Pacific would maintain this easement for its use. In 1996, Bunge assigned its interests in that agreement to Cargill. Beginning in June 2001, Irving Dock has been leased by CLD Pacific from Cargill, and CLD Pacific continues to lease the property today. In 2001, Cargill transferred its interests in the easement agreement to CLD Pacific Grain. In addition to transferring the Union Pacific easement agreement, Cargill also transferred the following easements with its interest to CLD Pacific: a Private Roadway encroachment easement in favor of Union Pacific dated October 17, 1977, a Tug Services Agreement with Shaver Transportation dated July 28, 2000, a Service-U 1st Cleaning Purchase/Work Order, a Uniform Rental Agreement with Cintas, and a Locomotive Lease with Samuel Investment Properties, LLC. After a reasonable search of the documents, Cargill has not found copies of the original agreements referenced in this assignment between Cargill and CLD Pacific.

(Irving 0053): Assignment and Assumption Agreement between Cargill
and CLD Pacific; 12/3/01 - CARG002637 - CARG002643

In 2007, Cargill granted a permanent tunnel easement to the City of Portland to inspect and operate a subsurface sewer tunnel near the property.

Cargill reviewed documents prepared by the Lower Willamette Group which state that Sanborn maps indicate that this property was formerly owned by Pacific Grain Co., Balfour-Guthrie and FH Peavey. Potential past owners or occupants of this facility also include:

- 1) Cargill, Inc. 7/14/1995-present
- 2) Bunge Corp. 1976-1995
- 3) Peavey Co. Grain Elevator 1970 to late 1970s
- 4) Oregon Bonded Grain Warehouse 1940-1960
- 5) Interior Warehouse Co. 1940-?
- 6) Balfour-Guthrie Co. 1924-1969
- 7) Irving Dock 1919-1960

This 6.2-acre facility extends roughly from river mile 11.4 to 11.6. A large mooring pier is located offshore. During Cargill's ownership of the property, the facility provided interim bulk storage for transfer of grain from trucks, rail cars, and barges. Main features on the site are reinforced concrete grain silos, conveyor systems, enclosed grain processing, a rail grain dump station, and a truck grain dump station and shipping and unloading equipment. Cargill has found no further information regarding the specific operations of each of the former owners or occupants of this location.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0035--0039): Lease Agreement between Cargill and CLD Pacific; 11/30/01 - CARG002502 - CARG002542

(Irving 0040): Permanent Tunnel Easement Between Cargill and Port of Portland - CARG002543 - CARG002548

(Irving 0044): Lease Agreement Between Cargill and CLD Pacific; 12/03/01 - CARG002568 - CARG002617

(Irving 0053): Assignment and Assumption Agreement between Cargill and CLD Pacific; 12/3/01 - CARG002637 - CARG002643

(Irving 0064, 0066-0067): Consent to Assignment between Union Pacific and CLD Pacific; 8/19/02, 3/19/02 - CARG002708 - CARG002711; CARG002414 - CARG002719

(Irving 0048, 0050, 0052): Assignment between Cargill and Union Pacific concerning trackage; Related Documentation 1/10/77, Assignment Between Cargill and Union Pacific concerning trackage; 4/14/83 - CARG002618 - CARG002620; CARG004213 CARG004218; and CARG002635 - CARG002636

(Irving 0049): Assignment between Union Pacific and Bunge; 2/1/96 - CARG002621 - CARG002622

(Irving 0051): Agreement Between Oregon Washington Railroad, Union Pacific Railroad, and Bunge concerning trackage; CARG002623 - CARG002634

(Irving 0054, 0058, 0060, 0061): Assignments and Supplemental Agreements between Union Pacific and Bunge re trackage; 2/1/96, related documentation - CARG002644 - CARG002653; CARG002690 - CARG002691; CARG002698 - and CARG002703

(Irving 0059): Assignment of Agreements between Cargill and Bunge; 7/14/95 - CARG002692 - CARG002697

(Irving 0063, 0069): Letters and attachments from Cargill to Union Pacific re Sublease of Facility and Assignment of Private Roadway Encroachment Agreement; 11/1/01, 1/5/02 - CARG002704 - CARG002707 and CARG002722 - CARG002729

(Irving 0065): Letter from Cargill to CLD Pacific re Assignment of Union Pacific Lease; 4/1/02 - CARG002712 - CARG002713

(Irving 0068): Letter from Cargill to Union Pacific re Consent to Conditional Assignment for Lease; 3/13/02 - CARG002720 - CARG002721

(Irving 0070, 0082 ; 0083): Agreements between Oregon Washington Railroad & Navigation Co. and Union Pacific re Private Roadway Encroachment; 10/17/77 - CARG002730 - CARG002735 and CARG002768 - CARG002779

(Irving 0071, 0072): Letters between Cargill and Union Pacific re Renewal Rider; related e-mails; June 2000 - CARG002736 - CARG002744

(Irving 0074): Renewal Rider Agreement between Cargill and Union Pacific; 2000 - CARG002745 - CARG002747

(Irving 0076): Letter from Union Pacific to Cargill re Private Roadway Encroachment; May 2000 - CARG002748 - CARG002751

(Irving 0077): Lease Audit Covering Use of RR Property; 2/1/96 - CARG002752 - CARG002754

Irving Dock Due Diligence documentation - CARG003312 - CARG003345 -

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Union Pacific owned this property prior to the property's sale to Kerr Gifford in 1942. Kerr Gifford was purchased by Cargill in 1953. Cargill owned the property until December 1956, when it sold the property to Leval & Company, which then changed names to Louis Dreyfus Corp.

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re property specs - CARG003451 - CARG003466

(Albina and Globe 0014): Extension Riders dated 8/17/42 and 8/12/44 extending Agreement to 8/16/45 - CARG003537 - CARG003540

(Albina and Globe 0008): Termination Rider; 1/28/55 - CARG003517 - CARG003519

(Albina and Globe 0015): Agreement between Union Pacific and Kerr Gifford; 8/17/42 - CARG003541 - CARG003556

(Albina and Globe 0028): Assignment; License to construct private way for pedestrians; 5/10/48 - CARG003607 - CARG003611

(Albina and Globe 0027): Assignment; 4/13/53 - CARG003604 - CARG003606

(Albina and Globe 0017): Agreement between Union Pacific and Kerr Gifford; 8/17/47 - CARG003559 - CARG003570

(Albina and Globe 0030); Assignment; 11/14/51; Covering private roadway and road crossing - CARG003617 - CARG003622

(Albina and Globe 0029); Assignment 11/26/51; covering construction of pipeline - CARG003612 - CARG003616

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

(Albina and Globe 0026): Letter from Schafer, Cronan, and Nelson to Leval and Co., Inc. 12/10/56 re property transfer - CARG003602 - CARG003603

(Albina and Globe 0033): Letter Regarding Sale of Property to Leval Co.; 10/16/56 - CARG003628 - CARG003631

(Albina and Globe 0038): Letter to Cargill transmitting title insurance policies; 1/27/54 - CARG003623 - CARG003625

(Albina and Globe 0040): Quit Claim Deed; 3/28/55 - CARG003638 - CARG003641

(Irving and T-4 0045): Services Agreement between Cargill and CLD Pacific Grain; 12/3/01 - CARG003230 - CARG003248

G. Albina Dock/ Kerr Gifford Dock

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Cargill has no other information concerning prior ownership of this location.

(Albina and Globe 0038): Letter to Cargill transmitting title insurance policies; 1/27/54 - CARG003623 - CARG003625

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

(Albina and Globe 0042): Quit Claim Deed; 2/28/55 - CARG003651 - CARG003655

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland

Cargill, Inc. leased office space and tank storage space for its Molasses Liquid Products Division at this location from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Cargill has found no other information regarding prior owners of the property, but Northwest Terminal Company was and "additional insured" on the insurance instrument for the lease.

(Rogers 0015): Lease Agreement between Time Oil Co. and Cargill, Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998. From Cargill's review, Arthur Riedel d/b/a The Celtic Investment Co. owned the property from April 1, 1997 through February 15, 1998.

(Corporate Authority to Do Business 001 pp. 27 - 30) Amended Business Name Registration Renewal CARG000031 - CARG000034

(Corporate Authority to Do Business 005 & 006) EPA Response Corporation - CARG000140 - CARG000141, CARG00142 - CARG00143

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland

Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. Based on Cargill's review, Union Pacific Railroad owned the property from 1947-1959.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.

RESPONSE:

This question is not applicable.

Section 3.0 Description of Each Property

13. Provide the following information about each Property identified in response to Question 4:
- a. property boundaries, including a written legal description;
 - b. location of underground utilities (telephone, electrical, sewer, water main, etc.);
 - c. location of all underground pipelines whether or not owned, controlled or operated by you;
 - d. surface structures (e.g., buildings, tanks, pipelines, etc.);
 - e. over-water structures (e.g., piers, docks, cranes, etc.);
 - f. dry wells;
 - g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);
 - h. groundwater wells, including drilling logs;
 - i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s): and where, when and how such systems are emptied and maintained;
 - j. subsurface disposal field(s), Underground Injection Control (UIC): wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;
 - k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;
 - l. all maps and drawings of the Property in your possession; and
 - m. all aerial photographs of the Property in your possession.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

a. property boundaries, including a written legal description:

Legal description of the Cargill T-4 Leasehold is found at (T-4 0008) Supplemental Lease and Agreement between Cargill and the Port; 06/26/75 – CARG000841 – CARG000851

See also ATC Environmental Site Assessment, December 4, 2003,
Section 3.1, Location and Legal Description - CARG001454

b. location of underground utilities (telephone, electrical, sewer, water main, etc.):

In its 2003 assessment, ATC did not observe evidence of a septic system on the property. Sanitary sewer services are provided by the Portland Water Bureau. ATC also did not observe evidence of wells on the property, but reviewed documents indicating a well was former located several feet north of the northeast corner of the elevator Operating House. These documents depict a well with an associated pump, which appears to be connected via a new water line to the washers located at the Dust house at the northwest corner of the operating house. Records indicate this well was properly filled in 1992.

ATC Environmental Site Assessment, December 4, 2003; Sections 6.8,
6.9, 6.10, and 6.11 Waste Pits, Ponds, and Lagoons, Sumps, Septic
Systems, and Wells pp. 38 – 40 - CARG001483 and CARG1485

c. location of all underground pipelines whether or not owned, controlled or operated by you:

The abovementioned historical documents depict a well with an associated pump, which appears to be connected via a new water line to the washers located at the Dust house at the northwest corner of the operating house. Records indicate this well was properly filled in 1992

ATC Environmental Site Assessment, December 4, 2003; Section 6.11,
Wells, p. 40 - CARG0014835

d. surface structures (e.g., buildings, tanks, pipelines, etc.):

In the mid to late 1950s, the Port of Portland and Cargill entered into an agreement that allowed the Port of Portland to build the main grain storage facility. A hydraulic grain car tipper was constructed circa 1954. An office, lunchroom, and conveyor system to Berth 401 were added in the 1970s. Various other office buildings have also been added to the site over the years. In 1993-94, Cargill built a pellet mill to pelletize beet pulp. This mill was demolished in 2003 and all equipment was removed off-site. According to all available information, there were three (3) Above Ground Storage Tanks at the T-4 Leasehold during Cargill's occupancy. After a UST (referenced in j. below) was removed, it was replaced with an approximately 500 gallon above-ground storage tank containing diesel fuel for fueling the locomotive (when on site) and the site's front-end loader. This tank was located on a slab, west of the rail shed and was inspected regularly and maintained as needed. The above ground storage tank was double-walled and no spills or leaks associated with the tank have been reported. This tank was removed in

2003 at the request of the Port in preparation for termination of the Lease. ATC believed this tank to be the one designated by the Port as T4-45. (ATC Environmental Site Assessment, December 4, 2003, Appendix C - Site Plan - CARG001504 - CARG001505). The Cargill leasehold also had two (2) double walled AST's with approximately 250 gallons of capacity each located in a paved area north of the maintenance shop. These tanks were used for the collection of used oil from the shop, inspected regularly and maintained as needed. Used oil was collected from the tanks approximately once a year by a commercial recycling company. These tanks were removed when Cargill vacated the property in 2003. ATC believed these tanks corresponded to Port ID T4-47 and T4-48. In 2003, ATC representatives observed no evidence of surface staining on the asphalt surface in the area of the former ASTs. In addition to the three ASTs, Cargill also used an above ground storage tank to collect and store grain dust. This tank was located above the railroad tracks southeast of the Cereal Foods building as reflecting in Appendix C of the T-4 Site Assessment. Grain dust is a by-product of grain handling activities and is sold as livestock feed. According to the MSDS for grain dust, there are no hazardous components. The ATC global Site Assessment map also shows a fuel tank halfway between Cargill's Compressor House and Cereal Foods' warehouse (Building 160). Cargill has no further information regarding this tank. Available information indicates that this tank was likely owned by Cereal Foods. A permit dated April 5, 1977 indicates a transformer building was wrecked and removed from the property. Cargill does not have this permit in its records, and current and former Cargill employees who have been interviewed for this response have no recollection that Cargill had any use, ownership, interest or affiliation with this building or any transformers that may have been associated with the building. Other structures include the office/control room, 8 steel silos for grain storage, concrete silos, a lunchroom, the shop building, the Slip 1 conveyor, the Berth 2 conveyor, the truck shed, the truck dumper, a C10 conveyor building, and a storage room.

ATC Environmental Site Assessment, December 4, 2003; Section 5.3.7,
Building Department Records, pp. 29 – 30 - CARG001474 and
CARG1475

(T-4 0104): Table 1 – Proposed Changes and Rationale for AOC
Activities and Analytical Methods – Terminal 4 Slip 1 Upland Facility
CARG001059 – CARG001061

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6,
2005 - CARG000993 - CARG001001

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505 - including map with tank
locations

over-water structures (e.g., piers, docks, cranes, etc.):

Over-water structures at this property included a wood piling dock, which was demolished and disposed of in 1973 and replaced with another wooden dock with a concrete pile and deck in 1975.

ATC Environmental Site Assessment, December 4, 2003, Section 5.3.7
Building Department Records, p. 29 - CARG001474

e. dry wells:

In its 2003 assessment, ATC did not observe evidence of wells on the property, but reviewed documents indicating a well was formerly located several feet north of the northeast corner of the elevator Operating House. These documents depict a well with an associated pump, which appears to be connected via a new water line to the washers located at the Dust house at the northwest corner of the operating house. Records indicate this well was properly filled in 1992.

ATC Environmental Site Assessment, December 4, 2003; Section 6.11,
Wells, p. 40 - CARG0014835

f. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.):

None

g. groundwater wells, including drilling logs:

The ATC Environmental Assessment review of historical documents indicates that a water well may have been formerly located several feet north of the northeast corner of the Operating House. Records indicate the well was properly filled with cement in 1992.

ATC Environmental Site Assessment, December 4, 2003; Section 6.11,
Wells, p. 40 - CARG0014835

h. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s):

Based on Cargill's review of documents, there is no evidence of a septic system on the property, but use of sanitary sewer services are provided by the Portland Water Bureau. One stormwater outfall from the Cargill leasehold discharges into Slip 1. The catch basins are located around the eight concrete silos and the railroad tracks south of the silos. Five other outfalls discharge into Slip 1, collecting stormwater from the City of Portland's system on Lombard Street as well as eastern and southern Terminal 4 areas with tenants including Toyota Storage Yard, Pacific Molasses, and buildings occupied by the Port. There are also two stormwater outfalls that discharge into the Willamette River in the vicinity of Berth 401. One is attached to catch basins distributed along the railroad tracks to the south of the Cargill leasehold. The other line is connected to the catch basins located between Cargill's Storage Annexes and the Cereal Foods complex.

ATC Environmental Site Assessment, December 4, 2003; Section 6.11
Storm Water Management System, pp. 39 – 40 - CARG001484 -
CARG1485

- i. subsurface disposal field(s), Underground Injection Control (UIC): wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed:

According to all available information, there may have been one (1) Underground Storage Tanks (UST) associated with the T-4 Leasehold during Cargill's occupancy. During a 2003 DEQ file review of ECSI #272 performed by ATC, ATC obtained information about USTs located north of Slip 1 from the document "Site Assessment Program - Strategy Recommendation" dated May 29, 1998. According to that document, Cargill registered UST #401, a 1,000 gallon diesel tank, with the state. That UST was located southwest of the headhouse on the Cargill T-4 Leasehold and was removed in the 1980's with no leaks reported. Cargill is unaware of any specific documentation of soil testing for this UST. Two (2) other USTs are mentioned on property adjacent to the Cargill leasehold. These tanks have been referred to as T-22 and T-85 in communications between Cargill and the Port regarding areas of concern on the property. However, the Tank Ids for those tanks may refer to the same tank, and in any case, those tanks do not appear to have been on property leased by, or the responsibility of Cargill. Specifically, the ATC Site assessment mentions that these two (2) other USTs north of Slip 1 at T-4 were registered to Terminal Foods, and occupied in 2003 by Cereal Foods. Cargill has no documentation of those tank(s).

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

ATC Environmental Site Assessment, December 4, 2003; Section 10.0
Conclusions, p. 46 – CARG001491

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6,
2005 – CARG000993 - CARG001001

(T-4 0105): Memo from Thomas Mergy, ATC Associates, Inc. to Dennis
Klein, Cargill, Inc., January 29, 2004—CARG001063 - CARG001071

(T-4 0146): Communication between Cargill and Port conveying Table
re areas of concern - CARG001265 - CARG001270

- j. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property:

Interviewed employees recall that the main warehouse was demolished in the early to mid 1940s. An addendum to the lease between Portland and Kerr Gifford shows the City agreed to construct a modern steel storage tank annex for grain elevator operations in 1954.

(LAW 2005957) Lease Termination Documentation for T-4 –
CARG1434 – CARG1426

(T-4 0003): Agreement/Addendum between City of Portland and Kerr
Gifford, October 8, 1954 - City agrees to construct addition modern steel
storage tank annex to work with grain elevator operations -
CARG000491 - CARG000542

ATC Environmental Site Assessment, December 4, 2003 – Appendix B
– CARG001502 – CARG001503 – Site Vicinity Map

ATC Environmental Site Assessment, December 4, 2003 – Appendix D
– CARG001504 – CARG001524 Historical Maps

ATC Environmental Site Assessment, December 4, 2003 – Appendix E –
CARG001528 – CARG001531 – Aerial Photographs

(T-4 0036): Map of Willamette River in relation to facility -
CARG000686 - CARG000688

(T-4 0053): Map of Site - CARG000774 - CARG000775

(T-4 0081): Map of Site - CARG000848 - CARG000851

(T-4 0089): Map of Site - CARG000952 - CARG000954

(LAW #1579729): Map - CARG001292 - CARG001296

(Irving 0033): Operational Information, Map - CARG002487 -
CARG002501 (aerial photograph)

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

- a. property boundaries, including a written legal description:
For legal description - See (Rogers 0002) Rogers Terminal Lease Exhibit Map –
CARG003472
- b. location of underground utilities (telephone, electrical, sewer, water main, etc.):
Respondent has no information regarding underground utilities on the property.
- c. location of all underground pipelines whether or not owned, controlled or operated by you:
Respondent has no information regarding underground pipelines on the property.
- d. surface structures (e.g., buildings, tanks, pipelines, etc.):
An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184
- e. over-water structures (e.g., piers, docks, cranes, etc.):
None.
- f. dry wells:
Respondent is not aware of any dry wells on the property.

- g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.):
Respondent has no information regarding treatment or control devices.
- h. groundwater wells, including drilling logs:
Respondent has no information regarding groundwater wells, or drilling logs.
- i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s):
Respondent has no information regarding storm water drainage systems or sanitary sewer systems on the property.
- j. subsurface disposal field(s), Underground Injection Control (UIC):
Respondent has no information regarding subsurface disposal fields on the property.
- k. wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed:
The Rogers Terminal and Shipping facility leasehold located at 11040 N. Lombard Ave., Portland, Oregon at T-4 had a 10,000 gallon tank, which was never used by Rogers Terminal and Shipping. That tank was decommissioned and removed in 1990. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs.

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184

Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

Ash Creek Associates Report - CARG003687 – CARG003719

- l. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property: Respondent has no information regarding major additions, demolitions, or changes.

(Rogers 0002): Site Map – CARG003471 – CARG003472

(Rogers 0006): Site Map - CARG003477 - CARG003478

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal currently leases office space at Fremont Place 1, 1750 NW Naito Parkway, Suite 103 Portland, Oregon. The space is leased from McMorgan Institutional Real Estate Fund LLC, commenced February 1, 2007 and extends through January 31, 2012.

(Corporate Authority to Do Business 005) CARG000140 – CARG000141

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

Rogers Terminal leased office space at Fremont Place 2, 1650 NW Front Avenue Parkway, Suite 120 Portland, Oregon. The office space was leased from Phoenix Mutual Life Insurance, commenced February 1, 2000 and terminated January 31, 2007. Phoenix Mutual sold this property to McMorgan Institutional Real Estate Fund in February 2002.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave.
Phoenix Mutual Life Insurance Company, 1991 - CARG003515 -
CARG003516

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

E. Irving Dock, 800 N. River Street, Portland:

- a. property boundaries, including a written legal description: For a legal description of this property, see (Irving 0087) Warranty Deed – Statutory Form Exhibit A – CARG002784
- b. location of underground utilities (telephone, electrical, sewer, water main, etc.):
Bunge used Portland City water, a facility storm drain, and city sanitation service.
- c. location of all underground pipelines whether or not owned, controlled or operated by you: The only information Cargill has found regarding underground utility lines at this location is the land/title survey at (Irving 0085): Map - CARG002780 - CARG002781.
- d. surface structures (e.g., buildings, tanks, pipelines, etc.):
Surface structures include two grain elevators, a rail dumper, a truck dumper, office, a warehouse, a truck scale, a cargo building, and a water retention and settlement tank.

In addition, Irving Dock had and has three active, registered above-ground storage tanks.

They include:

1. Mineral Oil Tank: 10,000 gallons, double-wall containment, protected posts and a spill kit cabinet, located west of the rail dumper - Irving Dock Site Map – CARG004126;
2. Diesel Tank: 1,000 (Split 500 each side), double-wall containment, protected by Jersey Barriers, located north of the dust silos - Irving Dock Site Map – CARG004126, and
3. Hydraulic Oil Tank: 400 gallons, tank contained in outer tank that also supports motor and pump, located northwest of the truck dumper and office - Irving Dock Site Map – CARG004126

There have been no reported spills or leaks from any of the active above-ground storage tanks.

Although not an AST, there is also 110 gallon plastic container located on site. (Irving Dock Site Map – CARG004126). This vessel was historically used to store Malathion until Cargill ceased using Malathion in 1997.

See Preliminary Environmental Evaluation for Irving Dock, May 31,
1995 – CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

- e. over-water structures (e.g., piers, docks, cranes, etc.):
Irving Dock includes an abandoned dock, and a large mooring pier is located offshore.
- f. dry wells:
Respondent has found no information regarding any dry wells at this property.
- g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.)
Respondent has found no information regarding treatment or control devices at this location.
- h. groundwater wells, including drilling logs:
Respondent has found no information regarding groundwater wells at this location.
- i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s):
Storm water goes to the River through storm drains at the facility. Bunge used an off-site metro transfer landfill for recycling. All waste went in to a dump box, which was then picked up by metro transfer.
- j. subsurface disposal field(s), Underground Injection Control (UIC): wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed:
Prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property.

Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documentation on Irving Dock - CARG003333

- k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property:

In 1955 and 1976 the structure, which was originally wood, was taken down and rebuilt in concrete. In 1996-97, CLD Pacific installed several wheat cleaners, performed major bank stabilization project, and made repairs to concrete tanks. The bank stabilization project involved the installation of sheet pilings from the south end of the office building to beyond the shop area. This stabilization project was necessary to stabilize the shifting river bank and fill approximately 30 large holes (36" diameter on 7' centers): north of the office.

Irving Dock Due Diligence documentation – CARG003314 (Question 1.,
Site History)

(Irving 0087): Warranty Deed-Statutory Form - CARG002782 -
CARG002789

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318.

Irving Dock Site Map – CARG004126.

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documentation on Irving Dock - CARG003333.

(Irving 0002): Map - CARG001997 - CARG001998

(Irving 0020-0021): Maps of Easements of Right-of-Way -
CARG002429

(Irving 0055): Map - CARG002654 - CARG002656

(Irving 0033): Operational Information, Maps - CARG002483 -
CARG002501 (aerial photographs)

(Irving 0003): Facility Maps - CARG001999 - CARG002009

See also Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

Irving Dock Site Plan – CARG004114 – CARG004125

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

a. property boundaries, including a written legal description:

For legal description of this location, see (Albina and Globe 0040): Quit Claim Deed 3/28/55 – CARG003638 – CARG00341

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

G. Albina Dock/ Kerr Gifford Dock:

a. Property boundaries, including a legal description:

For legal description of this property, see (Albina and Globe 0043-0046): Bargain and Sale Deeds; 1/18/55; 11/12/54 - CARG003656 - CARG003678

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

(Albina and Globe 0042): Quit Claim Deed; 2/28/55 – CARG003651 - CARG003655

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

I. Port O' Call Complex, N. Channel Avenue, Portland:

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

After a reasonable search of the documents and conducting interviews with available employees, Cargill is unable to find information responsive to each part of this question.

(Albina and Globe 0016): Map - CARG003557 - CARG003558

14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

The only information in Respondent's possession potentially related to the river-ward boundary of private ownership and where state aquatic lands and/or state management jurisdiction begins is a map of the facility showing the location of the Willamette River in relation to the property.

(T-4 0104): HartCrowser Figure 1 Map, 7/04 – CARG001057

B. Irving Dock, 800 N. River Street, Portland:

Bunge Corporation purchased a river front lot at the north end of the facility from Marine Way Co. in 1978. Cargill purchased the Irving Street location from Bunge Corporation on July 14, 1995. A large mooring pier is located offshore. The only information in Respondent's possession potentially related to the river-ward boundary of private ownership and where state aquatic lands and/or state management jurisdiction begins is a map of the facility showing the location of the Willamette River in relation to the property.

Irving Dock Site Map – CARG004126

C. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Kerr Gifford originally purchased this dock from Union Pacific for a grain terminal elevator. Kerr Gifford was purchased by Cargill in 1953. In December 1956, Cargill sold the property to Leval & Company, which then changed names to Louis Dreyfus Corp. Except as set forth herein, Cargill has found no information regarding the river-ward boundary of private ownership and where state aquatic lands and/or state management jurisdiction begins.

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re property specs - CARG003451 - CARG003466

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

(Albina and Globe 0040): Quit Claim Deed; 2/28/55 - CARG003638 - CARG003641

D. Albina Dock/ Kerr Gifford Dock:

Except as set forth herein, Cargill has found no information regarding the river-ward boundary of private ownership and where state aquatic lands and/or state management jurisdiction begins.

E. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

Cargill's review of available documentation indicates that this property was located "at the foot of Failing Street" Portland, Oregon. Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. Except as set forth herein, Cargill has found no information regarding the river-ward boundary of private ownership and where state aquatic lands and/or state management jurisdiction begins.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

According to the 2003 ATC Environmental Site Assessment, the property is located in the Willamette River basin, where alluvial deposits have influenced the regional topography and geology. The sediment consists of soils on old alluvial terraces and bottomlands on intermittent streams, largely confined to Willamette River channels and valley bottoms of tributary streams. The underlying geologic materials consist primarily of Pleistocene lacustrine and fluvial sediments represented by the Troutdale Formation and the Sandy River Mudstone, respectively. The Pleistocene deposits are approximately 500 feet thick and overlay the older Columbia River Basalt Group. The soils beneath the site are classified as Urban land with 0 to 3 percent slopes, according to the U.S. Department of Agriculture's Soil Survey of Multnomah County, Oregon. Ninety-five percent or more of the land in this soil unit has been covered with buildings, parking lots, railroads, and other impervious surfaces. According to a report by Geotechnical Resources, as reviewed by ATC, the site is covered with 12 to 15 feet of fill material underlain by layers of silt and sand. Estimated groundwater levels in the area vary based on precipitation, usage, and geology.

ATC Environmental Site Assessment, December 4, 2003, Sections 5.2.2
Geology, 5.2.3 Soils, and 5.2.4 Hydrology - CARG001468 -
CARG001469

Cargill also obtained information on soil quality through the hydraulic oil investigation and remediation it performed as part of its lease termination activities at T-4. Cargill performed a soils investigation and excavation project at the T-4 leasehold around Building C-11. A total of 88.11 tons of soil were removed and destroyed in this project. Soil sampling results are included with this response.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505.

ATC Environmental Site Assessment, December 4, 2003, App. J -
Harding ESE Soil Sample Locations Map - CARG001930

ATC Environmental Site Assessment, December 4, 2003, App. J -
MACTEC Soil Sample Results - CARG001931 - CARG001933

(T-4 0143): Hydraulic Oil Contaminated Soils Cleanup - CARG001258-
CARG001264.

(T-4 0106): Soil Recycling Certificate - CARG001073

B. Rogers Terminal and Shipping 11040 N. Lombard Avenue, Portland:

The Rogers terminal and shipping facility leasehold located at 11040 N. Lombard Ave., Portland, Oregon at T-4 had a 10,000 gallon tank which was decommissioned and removed in 1990. The UST was not used by Rogers Terminal during its occupancy of the facility. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs. Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 - CARG00 4184

Ash Creek Associates Report - CARG003687 - CARG003719

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop", where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

Rogers' "Tire Shop" Documentation - CARG003508 - CARG003514

See (Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184

C. Irving Dock, 800 N. River Street, Portland:

Prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documentation on Irving Dock - CARG003333

Regarding air quality, Bunge conducted a Preliminary Environmental Evaluation to acquire an Air Contaminant Discharge Permit in 1993 for discharge related to its handling of grains for marketing and export. The permit notes that, during the prior permit period, two complaints were received for loading grain on to a ship without a hatch cover or a tent. It was recommended that the facility modify some of its dust handling equipment. During that operation, emissions were discharged from the 7 baghouse facilities, a railcar unloading pit, the barge, the truck unloading pit, loading ships, a dust tank containing the grain dust from the baghouses, and the grain handling process in general.

Irving Dock Due Diligence documentation – CARG003319 –
CARG003325

16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.): on each Property. For each such unit or area, provide the following information: a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;
- a. dated aerial photograph of the site showing each unit/area;
 - b. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;
 - c. the dates that the unit/area was in use;
 - d. the purpose and past usage (e.g., storage, spill containment, etc.);
 - e. the quantity and types of materials (hazardous substances and any other chemicals): located in each unit/area; and
 - f. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Underground Storage Tanks

Although not a solid waste management unit, according to all available information, there may have been one (1) Underground Storage Tanks (UST) associated with the T-4 Leasehold during Cargill's occupancy.

During a 2003 DEQ file review of ECSI #272 performed by ATC, ATC obtained information about USTs located north of Slip 1 from the document "Site Assessment Program - Strategy Recommendation" dated May 29, 1998. According to that document, Cargill registered UST #401, a 1,000 gallon diesel tank with the state. That UST was located southwest of the headhouse on the Cargill T-4 Leasehold and was removed in the 1980's with no leaks reported. Cargill is unaware of any specific documentation of soil testing for this UST.

Two (2) other USTs are mentioned on property adjacent to the Cargill leasehold. These tanks have been referred to as T-22 and T-85 in correspondence between Cargill and the Port. However, the Tank Ids for those tanks may refer to the same tank, and in any case, those tanks do not appear to have been on property leased by, or the responsibility of Cargill. Specifically, the ATC Site assessment mentions that these two (2) other USTs north of Slip 1 at T-4 were registered to Terminal Foods, and occupied in 2003 by Cereal Foods. Cargill has no documentation of those tank(s). Cargill does not have in its possession a dated aerial photo of the site showing these USTs.

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

ATC Environmental Site Assessment, December 4, 2003; Section 10.0
Conclusions, p. 46 – CARG001491

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6,
2005 — CARG000993 - CARG001001

(T-4 0105): Memo from Thomas Mergy, ATC Associates, Inc. to Dennis
Klein, Cargill, Inc., January 29, 2004—CARG001063 - CARG001071

(T-4 0146): Communication between Cargill and Port conveying Table
re areas of concern - CARG001265 - CARG001270

Aboveground Storage Tanks

Although not solid waste management units, according to all available information, there were three (3) Above Ground Storage Tanks at the T-4 Leasehold during Cargill's occupancy.

After the UST referenced above was removed, it was replaced with an approximately 500 gallon above-ground storage tank containing diesel fuel for fueling the locomotive (when on site) and the site's front-end loader. This tank was located on a slab, west of the rail shed and was inspected regularly and maintained as needed. The tank was double-walled and no spills or leaks associated with the tank have been reported. This tank was removed in 2003 at the request of the Port in preparation for termination of the Lease. ATC believed this tank to be the one designated by the Port as T4-45.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

The Cargill leasehold also had two (2) double walled AST's with approximately 250 gallons of capacity each located in a paved area north of the maintenance shop. These tanks were used for the collection of used oil from the shop, inspected regularly and maintained as needed. Used oil was collected from the tanks approximately once a year by a commercial recycling company. These tanks were removed when Cargill vacated the property in 2003. ATC believed these tanks corresponded to Port ID T4-47 and T4-48. In 2003, ATC representatives observed no evidence of surface staining on the asphalt surface in the area of the former ASTs.

In addition to the three ASTs, Cargill also used an above ground storage tank to collect and store grain dust. This tank was located above the railroad tracks southeast of the Cereal Foods building as reflecting in Appendix C of the T-4 Site Assessment. Grain dust is a by-product of grain handling activities and is sold as livestock feed. According to the MSDS for grain dust, there are no hazardous components.

The ATC global Site Assessment map also shows a fuel tank halfway between Cargill's Compressor House and Cereal Foods' warehouse (Building 160). Cargill has no further information regarding this tank. Available information indicates that this tank was likely owned by Cereal Foods.

Cargill does not have in its possession a dated aerial photo showing the locations of these ASTs.

(T-4 0104): Table 1 – Proposed Changes and Rationale for AOC
Activities and Analytical Methods – Terminal 4 Slip 1 Upland Facility
CARG001059 – CARG001061

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6,
2005 - - CARG000993 - CARG001001

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505 - including map with tank
locations

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

An environmental assessment of the Property was done by Hahn & Associates in October 30, 1989, prior to Rogers entering into a new 3-year lease of the improved property. See Environmental Site Report, Hahn and Associates, October 30, 1989 CARG004163 – CARG004184. Hahn & Associates observed the probable presence of an underground storage tank. This tank was never used by Rogers Terminal and Shipping. The tank was located in the area west of the old tire shop. Hahn & Associates estimated the tank to be a 10,000 gallon tank that was not registered with the Department of Environmental Quality. The Port agreed to remove the tank before Rogers' new lease commenced as an inducement to enter into the 3-year lease. The tank was removed by the Port in 1990. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs.

Ash Creek Associates Report - CARG003687 – CARG003719

Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop", where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean.

Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514

C. Irving Dock, 800 N. River Street, Portland:

Although not solid waste management units, prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 – CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 – CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due Diligence Documentation on Irving Dock - CARG003333

Aboveground Storage Tanks

Although not solid waste management units, currently, Irving Dock has three active, registered above-ground storage tanks. They are:

1. Mineral Oil Tank: 10,000 gallons, double-wall containment, protected by posts, located west of the rail dumper - Irving Dock Site Map CARG004126.
2. Diesel Tank: 1,000 gallons (Split 500 each side), double-wall containment, protected by Jersey Barriers, located north of the dust silos - Irving Dock Site Map CARG004126.
3. Hydraulic Oil Tank: 400 gallons, tank contained in outer tank that also supports motor and pump, located northwest of the truck dumper and office - Irving Dock Site Map CARG004126.

There have been no reported spills or leaks from any of the active above-ground storage tanks.

A 110 gallon plastic container located on site was historically used for Malathion until Cargill ceased using Malathion in 1997.

Irving Dock Site Plan – CARG004114 – CARG004125

Site Map – CARG004126

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345

17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Underground Storage Tanks

Although not a solid waste management unit, according to all available information, there may have been one (1) Underground Storage Tanks (UST) associated with the T-4 Leasehold during Cargill's occupancy.

During a 2003 DEQ file review of ECSI #272 performed by ATC, ATC obtained information about USTs located north of Slip 1 from the document "Site Assessment Program - Strategy Recommendation" dated May 29, 1998. According to that document, Cargill registered UST #401, a 1,000 gallon diesel tank with the state. That UST was located southwest of the headhouse on the Cargill T-4 Leasehold and was removed in the 1980's with no leaks reported. Cargill is unaware of any specific documentation of soil testing for this UST.

Two (2) other USTs are mentioned on property adjacent to the Cargill leasehold. These tanks have been referred to as T-22 and T-85 in correspondence between Cargill and the Port. However, the Tank Ids for those tanks may refer to the same tank, and in any case, those tanks do not appear to have been on property leased by, or the responsibility of Cargill. Specifically, the ATC Site assessment mentions that these two (2) other USTs north of Slip 1 at T-4 were registered to Terminal Foods, and occupied in 2003 by Cereal Foods. Cargill has no documentation of those tank(s).

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

ATC Environmental Site Assessment, December 4, 2003; Section 10.0
Conclusions, p. 46 – CARG001491

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6,
2005 — CARG000993 - CARG001001

(T-4 0105): Memo from Thomas Mergy, ATC Associates, Inc. to Dennis Klein, Cargill, Inc., January 29, 2004—CARG001063 - CARG001071

(T-4 0146): Communication between Cargill and Port conveying Table re areas of concern - CARG001265 - CARG001270

Aboveground Storage Tanks

Although not solid waste management units, according to all available information, there were three (3) Above Ground Storage Tanks at the T-4 Leasehold during Cargill's occupancy.

After the UST referenced above was removed, it was replaced with an approximately 500 gallon above-ground storage tank containing diesel fuel for fueling the locomotive (when on site) and the site's front-end loader. This tank was located on a slab, west of the rail shed and was inspected regularly and maintained as needed. The tank was double-walled and no spills or leaks associated with the tank have been reported. This tank was removed in 2003 at the request of the Port in preparation for termination of the Lease. ATC believed this tank to be the one designated by the Port as T4-45.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

The Cargill leasehold also had two (2) double walled AST's with approximately 250 gallons of capacity each located in a paved area north of the maintenance shop. These tanks were used for the collection of used oil from the shop, inspected regularly and maintained as needed. Used oil was collected from the tanks approximately once a year by a commercial recycling company. These tanks were removed when Cargill vacated the property in 2003. ATC believed these tanks corresponded to Port ID T4-47 and T4-48. In 2003, ATC representatives observed no evidence of surface staining on the asphalt surface in the area of the former ASTs.

In addition to the three ASTs, Cargill also used an above ground storage tank to collect and store grain dust. This tank was located above the railroad tracks southeast of the Cereal Foods building as reflecting in Appendix C of the T-4 Site Assessment. Grain dust is a by-product of grain handling activities and is sold as livestock feed. According to the MSDS for grain dust, there are no hazardous components.

The ATC global Site Assessment map also shows a fuel tank halfway between Cargill's Compressor House and Cereal Foods' warehouse (Building 160). Cargill has no further information regarding this tank. Available information indicates that this tank was likely owned by Cereal Foods.

(T-4 0104): Table 1 – Proposed Changes and Rationale for AOC
Activities and Analytical Methods – Terminal 4 Slip 1 Upland Facility
CARG001059 –CARG001061

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6, 2005 - - CARG000993 - CARG001001

ATC Environmental Site Assessment, December 4, 2003, Appendix C - Site Plan - CARG001504 - CARG001505 - including map with tank locations

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

An environmental assessment of the Property was done by Hahn & Associates in October 30, 1989, prior to Rogers entering into a new 3-year lease of the improved property. See Environmental Site Report, Hahn and Associates, October 30, 1989 CARG004163 - CARG004184. Hahn & Associates observed the probable presence of an underground storage tank. This tank was never used by Rogers Terminal and Shipping. The tank was located in the area west of the old tire shop. Hahn & Associates estimated the tank to be a 10,000 gallon tank that was not registered with the Department of Environmental Quality. The Port agreed to remove the tank before Rogers' new lease commenced as an inducement to enter into the 3-year lease. The tank was removed by the Port in 1990. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs.

Ash Creek Associates Report - CARG003687 - CARG003719

Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop", where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

Rogers' "Tire Shop" Documentation - CARG003508 - CARG003514

C. Irving Dock, 800 N. River Street, Portland:

Although not solid waste management units, prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318.

Irving Dock Site Map – CARG004126.

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documentation on Irving Dock - CARG003333.

Aboveground Storage Tanks

Although not solid waste management units, currently, Irving Dock has three active, registered above-ground storage tanks. They are:

1. Mineral Oil Tank: 10,000 gallons, double-wall containment, protected by posts, located west of the rail dumper - Irving Dock Site Map CARG004126.
2. Diesel Tank: 1,000 gallons (Split 500 each side), double-wall containment, protected by Jersey Barriers, located north of the dust silos - Irving Dock Site Map CARG004126.
3. Hydraulic Oil Tank: 400 gallons, tank contained in outer tank that also supports motor and pump, located northwest of the truck dumper and office - Irving Dock Site Map CARG004126.

There have been no reported spills or leaks from any of the active above-ground storage tanks.

A 110 gallon plastic container located on site was historically used for Malathion until Cargill ceased using Malathion in 1997.

Irving Dock Site Plan – CARG004114 – CARG004125

Site Map – CARG004126

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345

18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:
- a. the location and nature of each sewer line, drain, ditch, or tributary;
 - b. the date of construction of each sewer line, drain, ditch, or tributary;
 - c. whether each sewer line, or drain was ever connected to a main trunk line;
 - d. whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
 - e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:
 - f. the areas serviced by the outfalls; and
 - g. the type of outfall (i.e., storm water or single facility operational).

RESPONSE:

Cargill is not aware of any hazardous substances being drained by these conveyances from Cargill related property.

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

ATC reviewed several stormwater maps in its Environmental Site Assessment of the Site in 2003. According to that ESA, one stormwater outfall from the Cargill leasehold discharges in to Slip 1 in the River. The catch basins are located around the eight concrete silos and along the railroad tracks south of the silos. Five other outfalls also discharge into Slip 1, collecting stormwater from City of Portland's system on Lombard street, as well as eastern and southern Terminal 4 areas, with tenants including Toyota Storage Yard, Pacific Molasses, and buildings occupied by the Port. There are two other stormwater outfalls near Berth 401. One is attached to catch basins distributed along the railroad tracks south of the Cargill leasehold. The other is connected to catch basins located south of the Cargill office and connected to that line. Cargill made use of the City's sanitary sewer disposal lines for regular sewage from routine site operations. There are some historic records of use of cesspools on the site. In those records, four pre-existing cesspools were to be abandoned and filled, and a new cesspool was to be constructed several feet south. The cesspools in the drawing were located between the 1917 storage annex and the concrete silo marked Tank 5. Sanitary sewer connections were also evidenced in the records. Cargill has reviewed all available documents and interviewed available employees and has provided all information reasonably attainable regarding storm or sewer water disposal methods.

ATC Environmental Site Assessment, December 4, 2003, Section 6.8
Waste Pits, Ponds, and Lagoons and Section 6.11 Storm Water
Management System, pp. 39 - 40 CARG001483 - CARG001485

(T-4 0139, 0140): Letters from ODEQ to Port re Draft Remedial
Investigation Work plan Slip 1; 6/09/04 and 3/25/04 - CARG001220 -
CARG0001228

B. Irving Dock, 800 N. River Street, Portland:

Prior to the property's purchase by Cargill, the property had a city storm drain and a facility storm drain that allowed natural runoff to enter the River. Cargill has since put in place a storm water pollution control plan that involves seven outfalls in to the Willamette River.

Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

Outfall map for Irving Dock – CARG003015 – CARG003016

(Irving and T-4 0035) Storm Water Pollution Control Permit and Plan,
7/22/97 – CARG003177 – CARG003195

19. Provide copies of any storm water or property drainage studies, including data from sampling, conducted at these Properties on storm water, sheet flow, or surface water runoff. Also provide copies of any Storm water Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.

RESPONSE:

Provided with this response, please find:

(Irving and T-4 0035) Storm Water Pollution Control Permit and Plan,
7/22/97 – CARG003177 – CARG003195

Plant Emergency Action Plan, Cargill, Inc., T-4, Irving Elevator,
Portland, Oregon – CARG003017 – CARG003024

Plant Emergency Action Plan, Cargill, Inc., T-4, Portland, Oregon –
CARG000472 – CARG000485

ATC Environmental Site Assessment, December 4, 2003 -
CARG001483 - CARG001485

Outfall map for Irving Dock – CARG003015 – CARG003016

(T-4 0139, 0140): Letters from ODEQ to Port re Draft Remedial
Investigation Work plan Slip 1; 6/09/04 and 3/25/04 - CARG001220 -
CARG000140

(T-4 0093): Letter from Port to ODEQ re Remedial Investigation Work Plan, Addendum for Phase III Workslope Terminal 4 Slip 1 Upland Facility; 10/07/05 - CARG000984 - CARG000986

(Rogers 0006): Letter and Report from Hahn and Associates to Rogers; Regulatory Compliance Assistance Storm water; 9/17/91 - CARG003477 - CARG003478

(LAW #1652138): Memo re Modification to SW Sampling Program Recontamination Analysis; 10/9/07, Letter EPA re Modification to SW Sampling Plan for Fall 2007 - CARG001341 - CARG001350

Section 4.0 Respondent's Operational Activities

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Cargill handled, stored, and transported grain at this property. The T-4 Leasehold consists of an approximately 18.53-acre leasehold with grain storage and shipping facilities. The facilities on the property were constructed in stages between 1917 and the early 1990s. Operations at the T-4 Leasehold included bulk grain. In September 1957, Cargill granted a license to Flour Mill Company of Portland, Oregon to use the area between the T-4 elevator and Flour Mills operation for parking for Flour Mill employees.

Interviewed employees also recall that the main warehouse was demolished in the early to mid 1940s. In the mid to late 1950s, the Port of Portland and Cargill entered into an agreement whereby the Port of Portland built the main grain storage facility. In 1974, the Port approve an extensive modernization of the grain elevator, dock, and allied facilities. Various office buildings have also been added to the site over the years. In 1993-94, Cargill built a pellet mill to pelletize beet pulp. This mill was demolished in 2003 and all equipment was removed off-site. Cargill continued to lease the property from the Port of Portland until December 4, 2003. Cargill subleased the property to CLD Pacific Grain from December 3, 2001 to June 10, 2003.

(T-4 0001): Agreement between City of Portland and Kerr Gifford and Co. regarding expansion and modernization of Municipal Grain Elevator; 10/8/54 - CARG000486 - CARG000487

(T-4 0003): Agreement/Addendum between City of Portland and Kerr McGee Gifford, October 8, 1954--City agrees to construct addition modern steel storage tank annex to work with grain elevator operations - CARG000491 - CARG000542

(T-4 0005): T-4--Agreement between City of Portland and Cargill; February 1955 for installation of deep well turbine pump - CARG000548 - CARG000551

(T-4 0007): Extracts from Lease With Terminal Flour Mills; 6/19/1919 - CARG000560 - CARG000561

(T-4 0010): Letter to Commission of Public Works re use of T-4 and renewal of lease of coal bunkers; 1/22/59 - CARG000564 - CARG000565

(T-4 0011-13): Letter from Commission of Public Docks to Cargill regarding extension of lease of coal bunkers; 09/11/56; 08/23/55; and 12/19/58 - CARG000566 - CARG000571

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612 - CARG000648

(T-4 0027): News paper article re construction of new storage facilities; 2/9/54 - CARG000662 - CARG000664

(T-4 0049): News paper article; June 2, 1974 - CARG000710 - CARG000713

(T-4 0069, 0074, 0075): Memo of Agreement Between Port of Portland and Cargill Re Demolition of Obsolete Facilities; 3/4/98, 9/15/98 - CARG000808 - CARG000809 and CARG000821 - CARG000833

B. Rogers Terminal & Shipping 11040 N. Lombard Avenue, Portland:

This site includes a warehouse, yard, and parking space leased from the Port of Portland at T-4 starting in June 1983. Rogers Terminal continues to lease this site on a month-to-month basis. Rogers provides contract stevedoring services for grain export business to several grain elevators. Its operations involve managing longshore labor for bulk loading and unloading of grain, and the storage and delivery of plywood and poly and burlap tarps to grain elevators. Rogers Terminal also operates a fabrication shop for the manufacturing and repair of marine-related equipment including gangways and wire cable that are used in unloading cargo and in securing ships. Rogers Terminal conducts minor vehicle repair on the forklifts and trucks used by Rogers.

(Rogers 0006): Letter and Report from Hahn and Associates to Rogers; Regulatory Compliance Assistance Storm water; 9/17/91 - CARG003477 - CARG003478

Environmental Site Report, Hahn and Associates, October 30, 1989
CARG004163 - CARG00 4184

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. currently leases office space at Fremont Place 1, 1750 NW Naito Parkway, Suite 103 Portland, Oregon. This property is used as office space, with no industrial operations conducted there.

(Corporate Authority to Do Business 005) CARG000140 – CARG000141

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. is a wholly-owned subsidiary of Cargill Marine and Terminal, Inc. Rogers Terminal leased office space at Fremont Place 2, 1650 NW Front Avenue Parkway, Suite 120 Portland, Oregon. This property is used as office space, with no industrial operations conducted there.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave.
Phoenix Mutual Life Insurance Company, 1991 - CARG003515 -
CARG003516

E. Irving Dock, 800 N. River Street, Portland:

This 6.2-acre facility extends roughly from river mile 11.4 to 11.6. A large mooring pier is located offshore. Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. During Cargill's ownership of the property the facility provided interim bulk storage for transfer of grain by trucks, rail cars, and barges. Main features on the site are reinforced concrete grain silos, conveyor systems, enclosed grain processing, a rail dump station, and a truck dump station and grain storage and shipping facilities. Beginning in June 2001, Irving Dock has been leased by CLD Pacific from Cargill, and CLD Pacific continues to lease the property today.

Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0033): General operational information - CARG002483 -
CARG002501

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Kerr Gifford originally purchased this dock from Union Pacific for a grain terminal elevator. Following Cargill's acquisition of Kerr Gifford in 1953, the dock became the property of Cargill. In December 1956, Cargill sold the property to Leval & Co., which then changed names to Louis Dreyfus Corp. Louis Dreyfus Corp. then leased the dock to CLD Pacific Grain. Operations on the dock include grain import, storage, and export.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

G. Albina Dock/ Kerr Gifford Dock:

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Except as set forth herein, Cargill has found no other information concerning this location.

(Albina and Globe 0038): Letter to Cargill transmitting title insurance policies; 1/27/54 - CARG003623 - CARG003625

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

Cargill, Inc. leased office and tank storage space for its Molasses Liquid Products Division at 12005 N. Burgard Street, Portland from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Cargill used this facility to store its molasses products which were brought to the property using a rail loading rack, truck loading rack, and tank piping and stored in storage tanks on the property. Except as set forth herein, Cargill has found no information operations on the property other than use for storage space.

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill, Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland:

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998. Cargill has found no information of operations on the property other than as use for office space.

(Corporate Authority to Do Business 001 pp. 27 - 30) Amended Business Name Registration Renewal CARG000031 - CARG000034

(Corporate Authority to Do Business 005 & 006) EPA Response Corporation - CARG000140 - CARG000141, CARG00142 - CARG00143

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

Cargill's review of available documentation indicates that this property was located "at the foot of Falling Street" Portland, Oregon. Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. Except as set forth herein, Cargill has found no information regarding operations conducted at the Northwestern Dock.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:
- in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
 - the chemical composition, characteristics, physical state (e.g., solid, liquid): of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
 - how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and
 - the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

RESPONSE:

Cargill does not understand this question to call for information on Cargill's operational use of pesticides, but rather to call for information on waste material. Full information on Cargill's use of pesticides is contained in response to Question 25.

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

- In general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled:
Cargill primarily handled grain at this property. The majority of any waste would have been general plant trash and waste grain. Cargill handled and stored additional other materials in small quantities incident to the purpose of storing grain, including rodent and pest control material, and equipment maintenance material. Waste oil was stored in aboveground storage tanks and was removed by Spencer Environmental Services of Oregon City, Oregon on approximately an annual basis. Based on the AST Site Assessment summary of waste oil removal records, the site generated from 68 to 600 gallons of liquid characterized as waste oil per year. Incidental quantities of other waste, including waste paint, waste solvents, acrylic cement coating, and sludge were stored in

drums or containers on the facility and removed by Van Waters and Rogers in February 1998.

- b. the chemical composition, characteristics, physical state (e.g., solid, liquid): of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled:

The vast majority of any waste would have been waste grain and dust, a solid material, which is the by-product of grain handling activities and is sold as livestock feed. There are no hazardous components to grain dust. Waste oil, incident to the use of equipment at the property, is a liquid material that was also used and stored on the property. Waste paint, waste solvents, acrylic cement coating, and sludge are liquids that were stored in 1-gallon, 5-gallon, 30-gallon, and 55-gallon drums and cans on the facility and removed once by Van Waters and Rogers in February 1998.

- c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you:

Grain dust was collected on-site and stored in aboveground storage tanks north of the grain elevator. Waste oil were stored in the maintenance shop adjacent to the grain elevator, in an AST on the property, and sometimes recovered from sumps. Spencer Environmental Services, Inc. removed varying quantities of waste oil from the facility on an annual basis. In February 1998, chemicals stored in an area referred to as the "bull pen" were disposed of by Van Waters & Rogers. The reason for the disposal was to discard out-of-date products.

- d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you:

Waste oil were removed on an annual basis by Spencer Environmental, with quantities ranging from 68 to 600 gallons of oil per year. In the February 1998 removal of waste paint and waste solvents, the uniform Hazardous Waste Manifest documents the disposal of 400 pounds of paint and solvent, 1,200 pounds of primer, and 250 pounds of solvent degreaser (TCE).

ATC Environmental Site Assessment, December 4, 2003, Section 6.7
Waste Generation, Storage, and Disposal, p. 37 – 38 - CARG001482 -
CARG001483

ATC Environmental Site Assessment, December 4, 2003, App. J, DEQ
Notification of Hazardous Waste Activity - CARG001975 -
CARG001976

ATC Environmental Site Assessment, December 4, 2003, App. J, Van
Waters & Rogers Waste Disposal Estimate, Hazardous Waste Manifest,
and Work Order - CARG001977 - CARG001980

ATC Environmental Site Assessment, December 4, 2003, App. J, PCI
Material Data Survey, Uniform Haz. Waste Manifest, and Land Disposal
Restriction Notification Form - CARG001981 - CARG001985

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment
for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612
- CARG000648

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

- a. In general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled:
This site includes a warehouse, yard, and parking space leased from the Port of Portland at the T-4 facility from June 1983 to December 1993. Rogers Terminal continues to lease this site on a month to month basis. Rogers handles and stores insignificant quantities of common materials used for equipment maintenance.
- b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled:
Rogers Terminal generated wastes incident to regular business operations (sanitary sewage, general, non-hazardous waste, etc.). Rogers Terminal also had very small quantities of waste oil at this location.
- c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you:
An aboveground oil storage tank was also observed off of the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling. In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop," where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned. Rogers used contract haulers to transport its municipal wastes off the properties for disposal. Sanitary sewage was disposed of into the sanitary sewer. ORRCO is currently used to pick up waste oil approximately every two years. Waste Management picks up plant trash and recyclables.
- d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you:
Plant trash, approximately 3 – 5 cubic yards a month. Waste oil, approximately 55 gallons every two years.

After a reasonable search of the documents and interviews with available witnesses, Respondent is unable to produce information responsive to each part of this question.

(Rogers Month to Month Lease) - 06/03/83 – CARG003500 –
CARG003507

See Rogers' "Tire Shop" Documentation – CARG003508 –
CARG003514.

Environmental Site Report, Hahn and Associates, October 30, 1989
CARG004163 – CARG00 4184

(Rogers 0006): Letter and Report from Hahn and Associates to Rogers;
Regulatory Compliance Assistance Storm water; 9/17/91 -
CARG003477 - CARG003478

Rogers Terminal & Shipping Co., Internal Memo – 03/02/05 -
CARG003734, CARG003721 – CARG003737

C. Irving Dock, 800 N. River Street, Portland:

- a. In general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled: Cargill primarily handled grain at this property, and ceased operations at this site in 2001. During its operations, the vast majority of any waste would have been waste grain and dust. The site also had some waste oil.
- b. the chemical composition, characteristics, physical state (e.g., solid, liquid): of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled: The vast majority of waste would have been waste grain and dust, a solid material, which is a by-product of grain handling activities that is sold as livestock feed. Waste oil, incident to the use of equipment at the property, is a liquid material that was stored on the property until recycled.
- c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you: Cargill used metropolitan transfer haulers as contract haulers. These haulers took waste to one of several landfills. All waste grain went in to a dump box, which was then emptied by metropolitan transfer and hauled away. Waste oil was hauled off by Spencer Environmental for recycling.
- d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you: After a reasonable search, Cargill was unable to obtain specific information regarding the quantity of wastes.

Irving Dock Site Plan – CARG004114 – CARG004125.

Site Map – CARG004126.

Irving Dock Due Diligence documentation – CARG003313–
CARG003317

Irving Dock Due Diligence documentation – CARG003334–
CARG003339

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248.

(Irving 0033): General operational information - CARG002483 -
CARG002501

(Irving 0107, 0110): Service Agreements between Louis Dreyfus and Cargill; 6/3/02; 12/3/01 - CARG002919 - CARG002929 and CARG002932 - CARG002947

22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

RESPONSE

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

The T-4 Leasehold was a grain handling facility adjacent to the Willamette River. Cargill's grain operations included conveyors and/or bucket elevators that transported grain from warehouses to the ships. The equipment used for transport contained motors and/or gearboxes which may have contained gear oil or hydraulic fluid. On September 25, 1993 approximately ½ gallon of Chevron AW 32 hydraulic oil was spilled into the Willamette River when a hydraulic hose failed at the barge slip. The ATC Environmental Site Assessment includes several documents describing this release and Cargill's actions to address spill. These documents include:

1. Environmental Activity Report, September 25, 1993 – CARG001934.
2. Hand-written Notes of Cargill employee – CARG001935.
3. Typed Message from Doug Laurents to Dennis Klein – CARG001936.
4. Letter from Paul Christiansen, Oregon Department of Environmental Quality, to Mr. Doug Dunlay, Cargill Incorporation, September 27, 1993 – CARG001937.
5. Spill Report, Cargill Internal Memo by Doug Dunlay to Paul Christiansen, October 4, 1993 – CARG001938 – CARG001939.
6. Agency Notification Record, Mark Bonk, September 25, 1993 – CARG001940.
7. Spill Reporting Form, Mark Bonk – CARG001941.

ATC Environmental Site Assessment, December 4, 2003 at Appendix. J
- CARG001925 – CARG001991.

As noted by these documents, Cargill immediately responded to the release, notified authorities of the release and used using 3M oil absorbent pads to pick up oil from the river. Cargill's environmental contractor was on site within an hour and a half and there was no visible sheen or odor remaining after the clean up.

ATC Environmental Site Assessment, December 4, 2003, Section 6.7
Waste Generation, Storage, and Disposal, pp. 37 – 38 - CARG001482 -
CARG001483

ATC Environmental Site Assessment, December 4, 2003, Section 5.3
Historical Use Information, pp. 24 - 25 - CARG001469 – CARG001470

ATC Environmental Site Assessment, December 4, 2003, Section 6.2
Hazardous Substance Use/Storage, pp. 32 – 35, CARG001477 -
CARG001480

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment
for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612
- CARG000648

(Irving 0033): General operational information - CARG002483 -
CARG002501

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

This site includes a warehouse, yard, and parking space leased from the Port of Portland at the T-4 facility from June 1983 to December 1993. Rogers Terminal continues to lease this site on a month to month basis. Rogers handles and stores insignificant quantities of common materials used for equipment maintenance. Rogers Terminal and Shipping's facility is not over, on, or immediately adjacent to the Willamette River. Cargill is unaware of any discharges, spills, or disposals over the Willamette River from this facility.

(Rogers Month to Month Lease) - 06/03/83 – CARG003500 –
CARG003507

(T-4 0104): Site map showing Rogers Terminal and Shipping Facility
CARG001057

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184

(Rogers 0006): Letter and Report from Hahn and Associates to Rogers;
Regulatory Compliance Assistance Storm water; 9/17/91 -
CARG003477 - CARG003478

C. Irving Dock, 800 N. River Street, Portland:

Cargill primarily handled grain at this property. Cargill ceased operations at this site in 2001. The property consists of grain storage and shipping facilities. During its operations, the vast majority of any waste would have been waste grain and dust. Cargill's grain operations involved conveyors and/or bucket elevators that transported grain from warehouses to the ships. The equipment used for transport contained motors and/or gearboxes which may have contained gear oil or hydraulic fluid.

From interviews with the tenant CLD Pacific employees, Respondent understands that there were two small releases of gear grease into the Willamette River from this facility in 2008. The first of these releases was in August of 2008 and involved 8 to 10 gallons of gear grease. Proper authorities were notified of the release. The second release was of less than a quart of gear grease in December 2008. Proper authorities were notified of the release. Cargill has no documents or other information about these releases.

Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0033): General operational information - CARG002483 -
CARG002501

(Irving 0107, 0110): Service Agreements between Louis Dreyfus and
Cargill; 6/3/02; 12/3/01 - CARG002919 - CARG002929 and
CARG002932 - CARG002947

23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Prior to Cargill's lease of the facility, the leasehold area was used for military purposes, including shipbuilding from 1942 to 1947. During that time, the U.S. Army leased Terminal 4 as a Port of Embarkation. According to ATC's review of a report by Archaeological Investigations Northwest, Inc. ("A Cultural Resources Reconnaissance Survey of the Port of Portland's Terminal 4"), the land north of Slip 1 was used by Kaiser Industries as part of a WWII Liberty Ship construction yard. After the war, this property was transferred to the United States War Assets Administration before being returned to the City of Portland in 1947. ATC located no records regarding the use or storage of hazardous substances on the site during that period.

ATC Environmental Site Assessment, December 4, 2003; Section 6.2
Hazardous Substance Use/Storage, p. 32- CARG001477

During Cargill's lease of the T-4 Leasehold, the property was a grain handling facility adjacent to the Willamette River. Cargill's grain operations involved conveyors and/or bucket elevators that transported grain from warehouses to the ships. Berths 401 and 406, part of the T-4 leasehold, are over-water structures, on which warehouses, conveyors, and various functional structures (lunchrooms, restrooms, etc.) were built in the 1970s, and where grain was conveyed to vessels by Slip 1.

(T-4 0024-25): Clips from lease between Secretary of War and Kerr Gifford beginning July 1, 1942; CARG000642 – CARG000661

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612 - CARG000648

(T-4 0027): News paper article re construction of new storage facilities; 2/9/54 - CARG000662 - CARG000664

(Irving 0033): General operational information - CARG002483 - CARG002501

ATC Environmental Site Assessment, December 4, 2003, Section 6.7 Waste Generation, Storage, and Disposal, pp. 37 – 38 - CARG001482 - CARG001483

ATC Environmental Site Assessment, December 4, 2003, Section 5.3 Historical Use Information, pp. 24 - 25 - CARG001469 – CARG001470

ATC Environmental Site Assessment, December 4, 2003, Section 6.2 Hazardous Substance Use/Storage, pp. 32 – 35, CARG001477 - CARG001480

Plant Emergency Action Plan, Cargill, Inc., T-4, Portland, Oregon – CARG000472 – CARG000485

B. Irving Dock, 800 N. River Street, Portland:

Cargill primarily handled grain at this property, and ceased operations at this site in 2001. The property consists of grain storage and shipping facilities. Cargill's grain operations involved conveyors and/or bucket elevators that transported grain from warehouses to the ships. The equipment used for transport contained motors and/or gearboxes which may have contained gear oil or hydraulic fluid.

Irving Dock Due Diligence documentation – CARG003312 – CARG003345

(Irving and T-4 0045): Services Agreement Between Cargill and CLD Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0033): General operational information - CARG002483 - CARG002501

(Irving 0107, 0110): Service Agreements between Louis Dreyfus and Cargill; 6/3/02; 12/3/01 - CARG002919 - CARG002929 and CARG002932 - CARG002947

24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.

RESPONSE:

This question is not applicable.

25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 – present). Provide the brand name of all pesticides or herbicides used.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

At the T-4 Leasehold, Cargill used Phostoxin tablets and sprayed Weevil-Cide on to the grain in the steel tanks at buildings 150 and 151, but stopped using both materials in the mid-1980s. After fumigation, dust from Phostoxin is not hazardous, but partially-reacted Phostoxin is considered hazardous when it reacts with water. Cargill also historically used Malathion, which was sprayed on to select wheat shipments when loaded for export. Malathion contains 0,0 dimethyl, dithiophosphate of diethyl mercaptosuccinate, benzenes, xylenes, and cumene. Malathion was stored in small quantities on the property to spray on the wheat shipments when loaded for export. The substance was stored in steel drums in a small storage room. Historic reports reviewed by ATC indicate that the average amount of Malathion on-site was 1-4 gallons, but the maximum quantity was 200-499 gallons and the yearly quantity was 500-999 gallons. According to the ATC Environmental Site Assessment conducted in 2003, because Malathion has a short reactive state, it is not an environmental threat.

Rodenticides were among the chemicals used at the site. CLD employed trap and bait stations maintained by an outside contractor. After a reasonable search, Cargill could not obtain details about the types, quantities, and locations of rodenticides historically used on the leasehold. Construction documents reviewed by ATC reveal that screening was installed throughout the facility circa 1958 to exclude birds and rats from the facilities. Outside contractors, including Paramount and Schrum provided other regular pest control services for the facilities.

B. Irving Dock, 800 N. River Street, Portland:

Cargill historically used Malathion, which was sprayed on to select wheat shipments when loaded for export. Malathion contains 0,0 dimethyl, dithiophosphate of diethyl mercaptosuccinate, benzenes, xylenes, and cumene. Malathion was stored in small quantities on the property to spray on the wheat shipments when loaded for export. CLD used aluminum phosphide to fumigate grain on its ships. CLD also historically sprayed Malathion as a grain protectorate onto selected shipments of wheat being loaded for export. The wheat was sprayed on a conveyor as the wheat was loaded into the ships. Malathion was pumped onto the conveyor from a mixing tank encased in secondary containment. The Malathion was stored in steel drums in a small storage room with secondary containment. This operation ceased in 1997. Respondent also contracted with various pest control management companies from time to time. Such management companies applied pesticides using bait boxes to contain all substances. The facility is also fogged approximately annually with Pyrocid.

Irving Dock Due Diligence documentation – CARG003313–
CARG003317, CARG003334– CARG003339

26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Used oil waste was stored in aboveground storage tanks (ASTs) on the property. The Cargill leasehold also had two (2) double walled AST's with approximately 250 gallons of capacity each located in a paved area north of the maintenance shop. These tanks were used for the collection of used oil from the shop, inspected regularly and maintained as needed. Used oil was collected from the tanks approximately once a year by a commercial recycling company. These tanks were removed when Cargill vacated the property in 2003. ATC believed these tanks corresponded to Port ID T4-47 and T4-48. In 2003, ATC representatives observed no evidence of surface staining on the asphalt surface in the area of the former ASTs.

In addition to these ASTs, Cargill also used an above ground storage tank to collect and store grain dust. This tank was located above the railroad tracks southeast of the Cereal Foods building as reflecting in Appendix C of the T-4 Site Assessment. Grain dust is a by-product of grain handling activities and is sold as livestock feed. According to the MSDS for grain dust, there are no hazardous components.

(T-4 0104): CARG001059 – Table 1 – Proposed Changes and Rationale for AOC Activities and Analytical Methods – Terminal 4 Slip 1 Upland Facility.

ATC Environmental Site Assessment, December 4, 2003; Section 6.3 Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481.

(T-4 0095): Letter from Linda C. Childers to Kristi Maitland, October 6, 2005 - - CARG000993 - CARG001001.

ATC Environmental Site Assessment, December 4, 2003, Appendix C - Site Plan - CARG001504 - CARG001505) (including map with tank locations.

ATC Environmental Site Assessment, December 4, 2003 - CARG001477-1481, CARG001447, CARG001481 - CARG001482

In February 1998, products stored in an area referred to as the “bull pen” were disposed of by Van Waters & Rogers. The reason for the disposal was to discard out-of-date products. The Uniform Hazardous Waste Manifest documents, filed by Van Waters & Rogers, note the disposal of 400 pounds of paint and solvent, 1,200 pounds of primer, and 250 pounds of solvent degreaser (TCE).

ATC Environmental Site Assessment, December 4, 2003, Section 6.7 Waste Generation, Storage, and Disposal, p. 37 – 38 - CARG001482 - CARG001483

ATC Environmental Site Assessment, December 4, 2003, App. J, DEQ Notification of Hazardous Waste Activity - CARG001975 - CARG001976

ATC Environmental Site Assessment, December 4, 2003, App. J, Van Waters & Rogers Waste Disposal Estimate, Hazardous Waste Manifest, and Work Order - CARG001977 - CARG001980

ATC Environmental Site Assessment, December 4, 2003, App. J, PCI Material Data Survey, Uniform Haz. Waste Manifest, and Land Disposal Restriction Notification Form - CARG001981 - CARG001985

Based on its 2003 environmental site assessment, ATC found no waste or dumping mismanagement at the location.

ATC Environmental Site Assessment, December 4, 2003, Section 6.7 Waste Generation, Storage, and Disposal, p. 37 – 38 - CARG001482 - CARG001483

B. Irving Dock, 800 N. River Street, Portland:

Municipal trash from routine site operations was disposed of by metropolitan transportation from Irving Dock. Sanitary sewage was removed through the City sanitation system. Waste oil from the facility has been picked up by Spencer Environmental.

Irving Dock Due Diligence documentation – CARG003313–
CARG003317, CARG003334– CARG003339

C. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Plant trash from this facility is gathered and transported to a municipal landfill or to a location for recycling of paper by Waste Management. Waste Oil is transported from the facility by Oil Re-Refining company (ORRCO), approximately every two years.

Rogers Terminal & Shipping Co. Internal Memo, CARG003734

Rogers Terminal & Shipping Co. Waste/Material Profile, and ORCCO
CEG Certification; CARG003721 – CARG003737

27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River): within the Investigation Area? if so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:
- a. the persons with whom the Respondent made such arrangements;
 - b. every date on which Respondent made such arrangements;
 - c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight): of all materials involved in each such arrangement;
 - d. in general terms, the nature and quantity of the non-hazardous materials involved in each such arrangement;
 - e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;
 - f. the owner of the materials involved in each such arrangement, if not Respondent;
 - g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;
 - h. the address(es): for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;
 - i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;

- j. who selected the Property as the location at which hazardous materials were to be disposed or treated; and
- k. any records of such arrangement(s): and each shipment.

RESPONSE:

Cargill is unaware of any disposal of substances from these facilities to any Property within the Investigation Area.

- 28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).

RESPONSE:

A. Cargill T-4 Leasehold used the following facilities to carry out its operations:

- 1. Office
- 2. 8 Steel Silos
- 3. Concrete Silos
- 4. Lunchroom
- 5. Shop Building
- 6. Beet Pellet Mill Building
- 7. Grain Elevator
- 8. Track Shed
- 9. Car Tipper
- 10. Slip 1 Conveyor
- 11. Berth 401 Conveyor
- 12. Truck Shed
- 13. Dock
- 14. Truck Dumper
- 15. C11 Conveyor Building
- 16. Storage Room
- 17. Longshoresman Lunchroom
- 18. Main warehouse

ATC Environmental Site Assessment, December 4, 2003, Section 3.4
Description of Property Improvements, pp. 9 – 10 – CARG001454 –
CARG001455

ATC Environmental Site Assessment, December 4, 2003, Section 5.3.7
Building Department Records, pp. 29 – 30 – CARG001474 –
CARG001475

B. Rogers Terminal & Shipping, used the following facilities to carry out its operations:

1. Warehouse
2. Yard
3. Parking space leased from the Port of Portland at the T-4 facility

(Rogers 0005): Letter from Rogers to Port; Lease for Rogers Terminal at T-4; 1/27/93 – CARG003475 – CARG003476

(Rogers-0006): Letter and Report from Hahn and Associates to Rogers; Regulatory Compliance Assistance Storm water; 9/17/91 - CARG003477 - CARG003478

C. Irving Dock, 800 N. River Street, Portland used the following facilities to carry out its operations:

1. Grain elevator
2. Mooring pier
3. Reinforced concrete grain silos
4. Conveyor systems
5. Enclosed grain processing
6. Rail grain dump station
7. Truck grain dump station.

Irving Dock Due Diligence documentation – CARG003313– CARG003317, CARG003334– CARG003339

(Irving 0033): General operational information – CARG002483 – CARG002501

D. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

1. Dock
2. Grain Terminal Elevator

(Kerr 0025-0028): Kerr Gifford Dock and Elevator Document re property specs - CARG003451 - CARG003466

(Albina and Globe 0015): Agreement Between Union Pacific and Kerr Gifford; 8/17/42 - CARG003541 - CARG003556

(Albina and Globe 0017): Agreement Between Union Pacific and Kerr Gifford; 8/17/47 - CARG003559 - CARG003570

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 - CARG003571 - CARG003567

E. Albina Dock/ Kerr Gifford Dock:

1. Dock

Note: The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford.

(Albina and Globe 0038): Letter to Cargill transmitting title insurance policies; 1/27/54 - CARG003623 - CARG003625

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

F. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

1. Office
2. Tank Storage Space

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill, Inc.; 9/1/89 - CARG003486 - CARG003498

G. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

1. Dock

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 - CARG3532 - CARG003536

29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.

RESPONSE:

Cargill operations at Irving and the T-4 Leasehold included the storage, handling and shipment of grain. Maps of the facilities are demonstrative of the flow of materials to and from storage locations at the properties.

Irving Dock Site Map CARG004126

Port of Portland Site Map of Terminal 4 Slip 1 CARG001057

ATC Site Plan Map, CARG001505

30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:
- a. the date such operations commenced and concluded; and
 - b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.

RESPONSE

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Cargill handled, stored, and transported grain at this property. The T-4 Leasehold consists of an approximately 18.53-acre leasehold with grain storage and shipping facilities. The facilities on the property were constructed in stages between 1917 and the early 1990s. Operations at the T-4 Leasehold included bulk grain. In September 1957, Cargill granted a license to Flour Mill Company of Portland, Oregon to use the area between the T-4 elevator and Flour Mills operation for parking for Flour Mill employees.

Interviewed employees also recall that the main warehouse was demolished in the early to mid 1940s. In the mid to late 1950s, the Port of Portland and Cargill entered into an agreement whereby the Port of Portland built the main grain storage facility. Various office buildings have also been added to the site over the years. In 1993-94, Cargill built a pellet mill to pelletize beet pulp. This mill was demolished in 2003 and all equipment was removed off-site. Cargill continued to lease the property from the Port of Portland until December 4, 2003. Cargill subleased the property to CLD Pacific Grain from December 3, 2001 to June 10, 2003.

ATC Environmental Site Assessment, December 4, 2003, Section 5.3
Historical Use Information, pp. 24 - 35 - CARG001469 -
CARG001470

(T-4 0001): Agreement between City of Portland and Kerr Gifford and Co. regarding expansion and modernization of Municipal Grain Elevator; 10/8/54 - CARG000486 - CARG000487

(T-4 0003): Agreement/Addendum between City of Portland and Kerr McGee Gifford, October 8, 1954--City agrees to construct addition modern steel storage tank annex to work with grain elevator operations - CARG000491 - CARG000542

(T-4 0005): T-4--Agreement between City of Portland and Cargill; February 1955 for installation of deep well turbine pump - CARG000548 - CARG000551

(T-4 0007): Extracts from Lease With Terminal Flour Mills; 6/19/1919 - CARG000560 - CARG000561

(T-4 0010): Letter to Commission of Public Works re use of T-4 and renewal of lease of coal bunkers; 1/22/59 - CARG000564 - CARG000565

(T-4 0011-13): Letter from Commission of Public Docks to Cargill regarding extension of lease of coal bunkers; 09/11/56; 08/23/55; and 12/19/58 – CARG000566 – CARG000571

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612 - CARG000648

(T-4 0027): News paper article re construction of new storage facilities; 2/9/54 - CARG000662 - CARG000664

(T-4 0069, 0074, 0075): Memo of Agreement Between Port of Portland and Cargill Re Demolition of Obsolete Facilities; 3/4/98, 9/15/98 - CARG000808 - CARG000809 and CARG000821 - CARG000833

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

This site includes a warehouse, yard, and parking space leased from the Port of Portland at T-4 starting in June 1983. Rogers Terminal continues to lease this site on a month-to-month basis. Rogers provides contract stevedoring services for grain export business to several grain elevators. Its operations involve managing longshore labor for bulk loading and unloading of grain, and the storage and delivery of plywood and poly and burlap tarps to grain elevators. Rogers Terminal also operates a fabrication shop for the manufacturing and repair of marine-related equipment including gangways and wire cable that are used in unloading cargo and in securing ships. Rogers Terminal conducts minor vehicle repair on the forklifts and trucks used by Rogers.

(Rogers Month to Month Lease) - 06/03/83 – CARG003500 – CARG003507

(Rogers-0006): Letter and Report from Hahn and Associates to Rogers; Regulatory Compliance Assistance Storm water; 9/17/91 - CARG003477 - CARG003478

(Irving 0033): General operational information - CARG002483 - CARG002501

(Rogers 0005): Letter from Rogers to Port; Lease for Rogers Terminal at T-4; 1/27/93 – CARG003475 – CARG003476

C. Fremont Place I Office Space, 1750 NW Naito Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. currently leases office space at Fremont Place 1, 1750 NW Naito Parkway, Suite 103 Portland, Oregon. This property is used as office space, with no industrial operations conducted there.

(Corporate Authority to Do Business 005) CARG000140 – CARG000141

D. Fremont Place II, 1650 NW Front Ave. Parkway, Portland, Suite #120:

Rogers Terminal and Shipping Corp. is a wholly-owned subsidiary of Cargill Marine and Terminal, Inc. Rogers Terminal leased office space at Fremont Place 2, 1650 NW Front Avenue Parkway, Suite 120 Portland, Oregon. This property is used as office space, with no industrial operations conducted there.

(Misc. 0004): Rogers leased office space at 1650 NW Front Ave.
Phoenix Mutual Life Insurance Company, 1991 - CARG003515 -
CARG003516

E. Irving Dock, 800 N. River Street, Portland:

This 6.2-acre facility extends roughly from river mile 11.4 to 11.6. A large mooring pier is located offshore. Cargill purchased the Irving Street location on July 14, 1995 from Bunge Corporation. During Cargill's ownership of the property the facility provided interim bulk storage for transfer of grain by trucks, rail cars, and barges. Main features on the site are reinforced concrete grain silos, conveyor systems, enclosed grain processing, a rail dump station, and a truck dump station and grain storage and shipping facilities. Beginning in June 2001, Irving Dock has been leased by CLD Pacific from Cargill, and CLD Pacific continues to lease the property today.

Irving Dock Due Diligence documentation – CARG003312 –
CARG003345

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Irving 0033): General operational information - CARG002483 -
CARG002501

(Irving 0107, 0110): Service Agreements between Louis Dreyfus and
Cargill; 6/3/02; 12/3/01 - CARG002919 - CARG002929 and
CARG002932 - CARG002947

F. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

Kerr Gifford originally purchased this dock from Union Pacific for a grain terminal elevator. Following Cargill's acquisition of Kerr Gifford in 1953, the dock became the property of Cargill. In December 1956, Cargill sold the property to Leval & Co., which then changed names to Louis Dreyfus Corp. Louis Dreyfus Corp. then leased the dock to CLD Pacific Grain. Operations on the dock include grain import, storage, and export.

(Irving and T-4 0045): Services Agreement Between Cargill and CLD
Pacific Grain; 12/3/01 - CARG003230 - CARG003248

(Albina and Globe 0019): Deed; Kerr Gifford to Cargill; 1/28/55 -
CARG003571 - CARG003567

G. Albina Dock/ Kerr Gifford Dock:

The only evidence of ownership of this dock by Kerr Gifford is a title insurance document dated June 23, 1948. This property was transferred to Cargill in error and quitclaimed back to Kerr Gifford. Except as set forth herein, Cargill has found no other information concerning this location.

(Albina and Globe 0038): Letter to Cargill transmitting title insurance policies; 1/27/54 - CARG003623 - CARG003625

(Albina and Globe 0047): Kerr Gifford's Title Insurance Policy - CARG003679 - CARG003684

H. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

Cargill, Inc. leased office and tank storage space for its Molasses Liquid Products Division at 12005 N. Burgard Street, Portland from Time Oil Co. The lease ran from September 1, 1989 through August 31, 1990. Cargill used this facility to store its molasses products which were brought to the property using a rail loading rack, truck loading rack, and tank piping and stored in storage tanks on the property. Except as set forth herein, Cargill has found no information operations on the property other than use for storage space.

(Rogers 0015): Lease Agreement Between Time Oil Co. and Cargill, Inc.; 9/1/89 - CARG003486 - CARG003498

I. Port O' Call Complex, N. Channel Avenue, Portland:

Excel Corporation d/b/a Excel Country Fresh Meats Company rented space in Port O' Call Complex at 4553 N. Channel Avenue, Portland from Arthur A. Riedel d/b/a The Celtic Investment Co. The sublease for office space was effective from April 1, 1997 and terminated on February 15, 1998. Cargill has found no information of operations on the property other than as use for office space.

(Corporate Authority to Do Business 001 pp. 27 - 30) Amended Business Name Registration Renewal CARG000031 - CARG000034

(Corporate Authority to Do Business 005 & 006) EPA Response Corporation - CARG000140 - CARG000141, CARG00142 - CARG00143

J. Northwest(ern) Dock, Foot of N. Falling Street, Portland:

Cargill's review of available documentation indicates that this property was located "at the foot of Falling Street" Portland, Oregon. Kerr Gifford leased the dock from Union Pacific Railroad from August 17, 1947 through June 30, 1959. Except as set forth herein, Cargill has found no information regarding operations conducted at the Northwestern Dock.

(Albina and Globe 0011): Assignment; 8/17/47 - CARG003527 - CARG003531

(Albina and Globe 0012): Agreement Between Union Pacific and Kerr Gifford; 4/16/53 – CARG3532 - CARG003536

31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

The facilities on the property were constructed in stages between 1917 and the early 1990s. Operations at the T-4 Leasehold included bulk grain handling with a fuel storage area, a maintenance shop, transformer building, machinery shop, blacksmith shop, rail trackage, bone yard, wells, cesspools and storm sewers. In September 1957, Cargill granted a license to Flour Mill Company of Portland, Oregon to use the area between the T-4 elevator and Flour Mills operation for parking for Flour Mill employees.

Cargill's operation at the T-4 Leasehold, the storage and export of grain, has not changed over the course of its ownership. As to the size of Cargill's operations, in the mid to late 1950s, the Port of Portland and Cargill entered into an agreement that allowed the Port of Portland to build the main grain storage facility. Interviewed employees also recall that the main warehouse was demolished in the early to mid 1940s. Various office buildings have also been added to the site over the years. In 1993-94, Cargill built a pellet mill to pelletize beet pulp. This mill was demolished in 2003 and all equipment was removed off-site.

(T-4 0007): Extracts from Lease With Terminal Flour Mills; 6/19/1919 - CARG000560 - CARG000561

(T-4 0001): Agreement between City of Portland and Kerr Gifford and Co. regarding expansion and modernization of Municipal Grain Elevator; 10/8/54 – CARG000486 - CARG000487

(T-4 0003): Agreement/Addendum between City of Portland and Kerr McGee Gifford, October 8, 1954--City agrees to construct addition modern steel storage tank annex to work with grain elevator operations - CARG000491 - CARG000542

(T-4 0005): T-4--Agreement between City of Portland and Cargill; February 1955 for installation of deep well turbine pump - CARG000548 - CARG000551

(T-4 0011-13): Letter from Commission of Public Docks to Cargill regarding extension of lease of coal bunkers; 09/11/56; 08/23/55; and 12/19/58 – CARG000566 – CARG000571

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612 - CARG000648

(T-4 0027): News paper article re construction of new storage facilities;
2/9/54 - CARG000662 - CARG000664

(T-4 0049): News paper article; June 2, 1974 - CARG000710 -
CARG000713

(T-4 0069, 0074, 0075): Memo of Agreement Between Port of Portland
and Cargill Re Demolition of Obsolete Facilities; 3/4/98, 9/15/98 -
CARG000808 - CARG000809 and CARG000821 - CARG000833

ATC Environmental Site Assessment, December 4, 2003, Section 5.3
Historical Use Information; - CARG001469 - CARG001470

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

From June 3, 1983 to June 15, 1993, Cargill has leased the 11040 N. Lombard Ave. property for office space, a warehouse for storage, parking space, and an industrial yard. From the location, Rogers Terminal provides storage and delivery of plywood and poly and burlap tarps for nearby grain elevators. Rogers leased the facility at T-4 to conduct its stevedoring services. Rogers also used the facility to operate a fabrication shop for the manufacturing and repair of marine-related equipment including gangways and wire cable that are used in unloading cargo and in securing ships. Rogers Terminal & Shipping also conducts minor vehicle repair on the forklifts and trucks used by Rogers. Other than removal at the UST, which has never been used by Rogers Terminal or by the Port, Cargill has found no indication that operations or size of operations have significantly changed over the course of its operations at Rogers Terminal & Shipping.

(Rogers Month to Month Lease) - 06/03/83 - CARG003500 -
CARG003507

Environmental Site Report, Hahn and Associates, October 30, 1989
CARG004163 - CARG004184

(Irving 0033): General operational information - CARG002483 -
CARG002501

(Rogers 0005): Letter from Rogers to Port; Lease for Rogers Terminal &
Shipping at t-4; 1/27/93 - CARG003475 - CARG003476

(Rogers-0006): Letter and Report from Hahn and Associates to Rogers;
Regulatory Compliance Assistance Storm water; 9/17/91 -
CARG003477 - CARG003478

C. Irving Dock, 800 N. River Street, Portland:

During Cargill's ownership of the property, the facility provided interim bulk storage for transfer of grain by trucks, rail cars, and barges. Main features on the site are reinforced concrete grain silos, conveyor systems, enclosed grain processing, a rail dump station, and a truck dump station and grain storage and shipping facilities. Cargill has found no indication that operations or size of operations have significantly changed over the course of its ownership of Irving Dock from Bunge or over the course of its ownership of the dock and lease to CLD Pacific Grain.

Irving Dock Due Diligence documentation – CARG003313–
CARG003345

(Irving 0033): General operational information – CARG002483 –
CARG002501

32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Cargill's operations at the T-4 Leasehold and Irving Dock involved grain handling, storage, and transfer. Food and feed materials were used for these purposes. Some grain was treated on-site for storage or export. At the T-4 Leasehold, Cargill used Phostoxin tablets and sprayed Weevil-Cide on to select bushels of grain in the steel tanks at buildings 150 and 151, but stopped using Weevil-Cide in the mid-1980s. After fumigation, dust from Phostoxin is not hazardous, but partially-reacted Phostoxin is considered hazardous when it reacts with water. Cargill also historically used Malathion, which was sprayed on to select wheat shipments when loaded for export. Malathion contains 0,0 dimethyl, dithiophosphate of diethyl mercaptosuccinate, benzenes, xylenes, and cumene. According to the ATC Environmental Site Assessment conducted in 2003, because the product has a short reactive state, this pesticide is not an environmental threat.

Outside contractors, including Paramount and Schrum, provided other regular pest control services for the facilities.

(T-4 0003): Agreement/Addendum between City of Portland and Kerr McGee Gifford, October 8, 1954--City agrees to construct addition modern steel storage tank annex to work with grain elevator operations - CARG000491 - CARG000542

(T-4 0022) Kerr Gifford's Condition Survey of Mechanical Equipment for Handling Grain at Municipal Terminal No. 4; 7/1/50 - CARG000612 - CARG000648

(T-4 0049): News paper article; June 2, 1974 - CARG000710 - CARG000713

ATC Environmental Site Assessment, December 4, 2003 – Section 6.2 Hazardous Substance Use/Storage, pp. 32 – 35 – CARG001477 – CARG001480; Section 9.0 Findings and Opinions, pp. 42 – 45 - CARG001487 – CARG001490

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Rogers Terminal & Shipping's operations involve contract stevedoring services to several nearby grain elevators. These services include the storage and delivery of plywood and poly and burlap tarps to nearby grain elevators.

(Irving 0033): General operational information - CARG002483 - CARG002501

(Rogers 0005): Letter from Rogers to Port; Lease for Gearlocker at t-4; 1/27/93 - CARG003475 - CARG003476

(Rogers-0006): Letter and Report from Hahn and Associates to Rogers; Regulatory Compliance Assistance Storm water; 9/17/91 - CARG003477 - CARG003478

C. Irving Dock, 800 N. River Street, Portland:

Cargill's operations at the Irving Dock involved grain handling, storage, and transfer. Incident to its grain hauling practices at Irving Dock, Cargill has used insecticides and rodenticides in its operations over the years including Malathion and phosphide. Malathion contains 0,0 dimethyl, dithiophosphate of diethyl mercaptosuccinate, benzenes, xylenes, and cumene.

Outside contractors, including Paramount and Schrum provided other regular pest control services for the facilities.

Irving Dock Due Diligence documentation - CARG003313- CARG003317, CARG003334- CARG003339

33. Provide copies of Material Safety Data Sheets (MSDS): for materials used in the Respondent's operations.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

The ATC Environmental Site Assessment states that it includes an index of MSDS forms for this facility in Appendix J to that report. CARG001477. However, that index is not contained within Respondent's copy of Appendix J to the report, and may have been mistakenly labeled as included by ATC. CARG001925 - CARG001991

B. Rogers Terminal & Leasing

The MSDS forms for Rogers Terminal and Leasing are located at CARG003773 - CARG004113.

34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:
- a. the types of materials used to clean/maintain this equipment/machinery;
 - b. the monthly or annual quantity of each such material used;
 - c. the types of materials spilled in Respondent's operations;
 - d. the materials used to clean up those spills;
 - e. the methods used to clean up those spills; and
 - f. where the materials used to clean up those spills were disposed of.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Typical cleaning procedures were followed using only household type products. Cargill did not use more than incidental quantities of such household products. Types of products included small amounts of various solvents for cleaning equipment and machinery. Insignificant quantities of waste products incidental to maintenance of the facility were stored in drums and disposed of by Van Waters & Rogers (one time) or Spencer Environmental (as needed) for recycling. Safety Kleen was also used by Cargill as a contract hauler on certain occasions. Brooms and shovels were mostly used for general cleanup.

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Typical cleaning procedures were followed using only household products. Rogers did not use more than incidental quantities of such household products. Types of products included small amounts of various solvents for cleaning equipment and machinery. Any cleaning waste was disposed of using contract haulers. Cargill has found no further information regarding management or disposal of cleaning waste at this facility.

Rogers Terminal & Shipping Co., Internal Memo – 03/02/05 -
CARG003734

C. Irving Dock, 800 N. River Street, Portland:

Typical cleaning procedures were followed using only household type products. Cargill did not use more than incidental quantities of such household products. Types of products included small amounts of various solvents for cleaning equipment and machinery. Brooms and shovels were mostly used for general cleanup.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

1. Spill reporting: Any employee who detects a petroleum or hazardous substance "spill" on land, water or into the atmosphere as the facility or as a result of the facility's operations must immediately notify the main office. The Superintendent/assistant or next in charge will notify the appropriate people and determine what actions should be taken.
2. Spill containment: All available employees were responsible for stopping and containing the spill.
3. Procedures for containing spills over water:
 - a. Stop leak where possible,
 - b. Notify main office
 - c. Contain leak on dock, if possible with absorbent
 - d. Equipment available for containment:
 - e. Absorbent material
 - f. Shovels
 - g. Front end loader
 - h. Portable pump
 - i. Oil booms
 - j. Absorbent pads

Plant Emergency Action Plan, Cargill, Inc., T-4, Portland, Oregon –
CARG000472 – CARG000485

(T-4 0032): Environmental Action Report dated 3/28/91 and Marine
Security Special Reports in response to minor spill – CARG000674 –
CARG000678

Rogers Terminal & Shipping Co., Internal Memo – 03/02/05 -
CARG003734

B. Irving Dock, 800 N. River Street, Portland:

1. Environmental Spill/Release:
 - a. Materials include fuel oil, motor oil, hydraulic oil, gasoline, antifreeze, parts cleaner, solvents, paints, Malathion, or mineral oil.
 - b. Report the spill or release to the office. If the spill occurs on the second shift or a weekend, notify the Plant Superintendent first. Backup contact is Elmer Brink.

- c. Initiate actions to stop and contain the spill. If on land contain the spill using floor dry, gravel, dirt, sand, or hazard clean up pads from the warehouse. If on water contact Foss Environmental 503/283-1150. Hazmat pads and floating boom are stored in the warehouse (upstairs south end). Floor dry is located in bottom area of Bin #9 and on the shelves in the warehouse. If leak or spill occurs at mineral oil tank, spill kit is located at north end of the tank.
- d. Supervisor in charge will contact the State and National Response Centers directly (within 15 minutes). Document who took your report and ask for a report number. Contact the local Emergency Response Committee (Fire Dept) if needed.
- e. The Supervisor will, as soon as possible, notify Plant & Operations Managers.
- f. When the incident has been brought under control, an Environmental Activity Report (EV-101) should be filled out.

2. Spill Reporting Procedures

Who to call, within **15 minutes** of discovering the spill:

- 1. Local U.S. Coast Guard 503/240-9311 (only if spill is on water)
- 2. National Response Center 1-800-424-8802 or 1-202-267-2675
- 3. Maritime Fire and Safety Association 503/220-2055 (only if spill is on water)
- 4. Oregon Emergency Management Div. 1-800-452-0311 or 1-503-378-6377
- 5. Fire Department 911
- 6. Department of Environmental Quality 503/229-5263
- 7. Oregon Fish and Wildlife Dept. 503/229-5403
- 8. Columbia Waste Water Treatment 503/796-7180 days

(call if spill enters the sanitation 503/823-2400

or sewer system) 503/523-4111(nights)

- 9. FOSS ENVIRONMENT SERVICES 503/283-1150

(for spill clean-up crew dispatch) 1-800-337-7455 / 1-800-FESPILL

- 10. Operations & Plant Managers:

Gene Loffler 503/698-3327 (Home) 503/880-9357 (Cell)

Lance Bachman 360/576-8464 (Home) 503/849-5283(Cell)

- 3. All facts relevant to the event, including the substance, time, location and amount of the spill or release **including** all the agencies that were contacted shall be documented within eight (8) hours.
- 4. Reportable quantities as follows:
 - GASOLINE / DIESEL / OIL - anything that creates a sheen on the water or one (1) barrel on land (1 barrel = 42 gallons)
 - MALATHION - Federal reportable quantity = 100 lbs.- State reportable quantity is same as oil requirements.

5. Reporting Releases of Hazardous Substances: In the event of a release (which includes spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching or dumping) of a hazardous chemical, hazardous waste, toxic pollutant or other hazardous substance (examples: PCB's or liquid fumigants) to any surface water, ground water, drinking water supply, land surface or subsurface, or ambient air, use the following procedure:
 1. Secure the source of the release to prevent further emissions.
 2. Immediately document all facts relevant to the release, including the cause, time, amount and exact chemical composition. (see spill reporting worksheet)
 3. Within eight (8) hours determine whether the release is reportable to the National Response Center or any other agency.
 4. Plant personnel will call the National Response Center (1-800-424-8802) or other agencies after reviewing the situation.
 5. If the release is deemed reportable to any outside agency, the plant shall complete the Spill Reporting Worksheet and an Incident Investigation Report (EHS-562).

Plant Emergency Action Plan, Cargill, Inc., T-4, Irving Elevator,
Portland, Oregon – CARG003017 – CARG003024

C. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

The only hazardous material generated by Rogers Terminal is waste oil. The facility maintained Grab & Go Emergency Spill Clean-up Kits for use.

Rogers Terminal & Shipping Internal Memo dated 03/20/05 -
CARG003734

36. For each type of waste (including by-products): from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:
- its physical state;
 - its nature and chemical composition;
 - its color;
 - its odor;
 - the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
 - the dates (beginning & ending): during which each type of waste was produced by Respondent's operations.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

- Grain dust and plant trash
 - physical state: solid
 - nature and chemical composition: various, largely organic
 - color: various
 - odor: generally odorless
 - approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): Unknown
 - dates (beginning & ending) during which each type of waste was produced by Respondent's operations: 1954 (Respondent acquired the location) – 2003 (production ceased)
- Maintenance material and paints :
 - physical state: various
 - nature and chemical composition: various
 - color: various
 - odor: various
 - approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): One time shipment in February 1998 of collected material noting the disposal of 400 pounds of paint and solvent, 1,200 pounds of primer, and 250 pounds of solvent degreaser (TCE).

- f. dates (beginning & ending) during which each type of waste was produced by Respondent's operations: infrequent

- Waste oil:

- a. physical state: liquid
- b. nature and chemical composition: waste oil
- c. color: black
- d. odor:
- e. approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): approximately 68 to 600 gallons per year as noted in the ATC environmental site assessment
- f. dates (beginning & ending) during which each type of waste was produced by Respondent's operations: 1954 (Respondent acquired the location) – 2003 (production ceased)

ATC Environmental Site Assessment for T-4, December 4, 2003 – Section 6.2
Hazardous Substance Use/Storage, pp. 32 – 35, CARG001477 – CARG001480

B. Irving Dock, 800 N. River Street, Portland:

- Grain dust and plant trash

- g. physical state: solid
- h. nature and chemical composition: various, largely organic
- i. color: various
- j. odor: generally odorless
- k. approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): 5-yard and 20-yard containers
- l. dates (beginning & ending) during which each type of waste was produced by Respondent's operations: Purchase of facility in 1995 until leased to CLD in 2001, currently monthly by CLD.

- Waste oil:

- a. physical state: liquid
- b. nature and chemical composition: waste oil
- c. color: black
- g. odor:

- h. approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): Variable, picked up annually in 150-gallon container
- i. dates (beginning & ending) during which each type of waste was produced by Respondent's operations:

Irving Dock Due Diligence documentation – CARG003313–
CARG003317, CARG003334– CARG003339

C. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland

- Plant trash

- m. physical state: solid
- n. nature and chemical composition: various
- o. color: various
- p. odor: generally odorless
- q. approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): A 3 yard dumpster of plant trash is removed approximately monthly to a solid waste landfill. A 2 yard dumpster of recyclable material (paper/wood/cardboard) is removed as needed.
- r. dates (beginning & ending) during which each type of waste was produced by Respondent's operations: June 1983 to present

- Waste oil:

- a. physical state: liquid
- b. nature and chemical composition: waste oil
- c. color: black
- j. odor:
- k. approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.): Gathered in a 55 gallon barrel and removed for recycling approximately once every two years.
- l. dates (beginning & ending) during which each type of waste was produced by Respondent's operations: June 1983 to present

37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

RESPONSE:

Plant trash and waste grain would be generated throughout Respondent's facilities. Waste oil could be generated from engines or hydraulic equipment. For maps of the locations at Respondent's facilities, see:

Irving Dock Site Map CARG004126

Port of Portland Site Map of Terminal 4 Slip 1 CARG001057

ATC Site Plan Map, CARG001505

Rogers Map, CARG003472

38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

RESPONSE:

Below is a list of individuals who currently have and those who have had responsibility for Respondent's environmental matters. This list is not exhaustive and represents those key employees currently or previously responsible for environmental aspects of Cargill's operations.

Gene Loffler
(Prior Cargill Employee)
Operations Manager
CLD Pacific Grain, LLC
222 Southwest Columbia, Suite 1133
Portland, OR 97266
Phone: 503-243-1133
Fax: 503-243-5079
e-mail: Gene_Loffler@CLDPacific.com

Doug Dunlay
Vice, President, Grain Operations Manager
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-2568
Fax: 952-742-4088
e-mail:Doug_Dunlay@cargill.com

Mark Bonk
Electrical Systems Technician
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-6973
Fax: 952-742-4088
e-mail:Mark_Bonk@cargill.com

Dennis Klein
Cargill AgHorizons, Environmental Manager
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-5622
Fax: 952-742-4088
e-mail:Dennis_Klein@cargill.com

Terry Johnson
(Prior Cargill, Inc. employee):
Plant Manager
TEMCO, LLC
Tacoma, WA 98402
Phone: 253-472-3511
e-mail:terry.johnson@chsinc.com

Robert Taylor
Operations Leader
Cargill Grain & Oilseed Supply Chain, NA
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-4432
Fax: 952-742-4088
e-mail:Robert_Taylor@cargill.com

Kevin C. Bacon
Vice President
Rogers Terminal & Shipping
One Pacific Building
621 Pacific Avenue, Suite 109
Tacoma, WA 98402
Phone: 253-279-8798
Fax: 253-572-0977
e-mail:Kevin_Bacon@rogersterminal.com

39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Cargill used contract haulers to transport its municipal wastes off the properties for disposal. Sanitary sewage was disposed of into the sanitary sewer. Waste Oil was disposed of by Spencer environmental, and Van Waters & Rogers handled a one time disposal of material from the T-4 leasehold. Safety Kleen was used by Cargill as a contract recycler or hauler on certain occasions. Waste dust and grain was either disposed of as municipal waste or sold for feed.

Cargill site managers arranged for the applicable contract services for waste haulers. Disposal areas were dictated by law or chosen by Cargill's contract waste haulers.

Cargill has reviewed all available documents and interviewed available employees and is unable to ascertain all of the specific information for each aspect of this question.

ATC Environmental Site Assessment, December 4, 2003, section 6.7
Waste Generation, Storage, and Disposal, pp. 37 - 38 - CARG001482 -
CARG001483

Irving Dock Due Diligence documentation – CARG003313–
CARG003317

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

Plant trash from this facility is gathered and transported to a municipal landfill by Waste Management. Waste Oil is transported from the facility by Oil Refining company (ORRCO).

Rogers Terminal & Shipping Co., Internal Memo – 03/02/05 -
CARG003734

C. Irving Dock, 800 N. River Street, Portland:

Currently, plant trash from this facility, operated by CLD, is disposed of by Waste Management monthly. Waste oil is picked up annually or as needed.

40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, including, but not limited to the following:
- a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
 - b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
 - c. if Respondent transported any of its wastes away from its operations, please so indicate;
 - d. for each type of waste specify which Waste Carrier picked it up;
 - e. indicate the ultimate disposal/recycling/treatment locations for each type of waste;
 - f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
 - g. state the basis for and provide any documents supporting the answer to the previous question.

RESPONSE:

Cargill site managers arranged for the applicable contract services for waste haulers. Disposal areas were dictated by law or chosen by Cargill's contract waste haulers.

Cargill's contract and records for the one time February 1998 disposal of collected hazardous material can be found in the ATC Environmental Site Assessment Report for T-4, December 4, 2003, Section 6.7 Waste Generation, Storage, and Disposal – pp. 37 - 38, CARG001482 - CARG001483, and App. J - CARG001974, CARG001989.

Two Spencer Environmental invoices for the waste oil disposals from the Cargill T-4 leasehold can be found in the ATC Environmental Site Assessment Report for T-4, December 4, 2003, App. J – CARG001942, and CARG001990.

41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
- a. the nature and chemical composition of each type of waste;
 - b. the dates on which those wastes were disposed;
 - c. the approximate quantity of those wastes disposed by month and year;
 - d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre-treatment plant, Publicly Owned Treatment Works (POTW), etc.); and
 - e. whether and what pretreatment was provided.

RESPONSE:

Respondent did not dispose of wastes used in its operations through its drains. Cargill's sanitary sewage was disposed of through the Portland Water Bureau Publicly Owned Treatment Works.

ATC Environmental Site Assessment, December 4, 2003, Sections 6.8
Waste Pits, Ponds, and Lagoons, 6.9 Sumps, 6.10 Septic Systems, 6.11
Storm Water Management System, pp. 38 - 40 - CARG001483 -
CARG001485

Irving Dock Due Diligence documentation – CARG003313–
CARG003317

42. Identify any sewage authority or treatment works to which Respondent's waste was sent.

RESPONSE:

Cargill's sanitary sewage was sent to Portland Water Bureau Publicly Owned Treatment Works.

ATC Environmental Site Assessment, December 4, 2003, Section 6.10 p.
39 - CARG001484

43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.

RESPONSE:

Cargill's operations did not include settling tanks, septic systems, or pretreatment system sludges or other responsive treatment wastes resulting from its operations.

There are some historic records of use of cesspools on the site. In those records, four pre-existing cesspools were to be abandoned and filled, and a new cesspool was to be constructed several feet south. The cesspools in the drawing were located between the 1917 storage annex and the concrete silo marked Tank 5. Sanitary sewer connections were also evidenced in the records. Cargill has reviewed all available documents and interviewed available employees and has provided all information reasonably attainable regarding storm or sewer water disposal methods.

There was a mechanical pit constructed of concrete under the car tipper at the Terminal 4 property. The pit contained a sump for hydraulic fluid and that oil was observed by ATC on its environmental site assessment in the sump. When Cargill left the T-4 leasehold in 2003, the sump under the car tipper was inactive. In the 2003 ATC site assessment, approximately 10 gallons of water and oil mix was found in the sump in the mechanical pit beneath the car tipper at the Cargill T-4 Leasehold. This liquid was observed and removed in 2003 as a part of Cargill's lease termination activities. At that time, ATC observed no cracks or apparent stress fractures in the concrete pit.

ATC Environmental Site Assessment, December 4, 2003 at p. 36 - 37
CARG001481 - CAR001482

Cargill is not aware of any underground piping that exists from the sump. The ATC Site Assessment indicates that the sump was historically pumped to ground level for off-site disposal. Underground piping, if any, connecting hydraulic pumps to the rail car mover units was also inactive as of 2003.

The Port of Portland may have conducted investigations related to the car tipper shed as a part of its Remedial Investigation. Other than the ATC Site Assessment and the Port's Remedial Investigation, Cargill is unaware of any other investigations or remedial actions for this sump. Cargill has included all responsive documents in its possession, however, there may be additional documentation held by the Port of Portland or other parties privy to the Remedial Investigation.

(T-4 0141): Potential Areas of Concern Evaluation, Table 1 -
CARG001232.

(T-4 0092): Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005 - CARG000972-CARG000983

ATC Environmental Site Assessment, December 4, 2003 CARG001483
– CARG001484.

(T-4 0104): Proposed RI Sampling locations CARG001058 –
CARG001059

44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.

RESPONSE:

Not applicable. While the T-4 Leasehold was used for Military shipbuilding from 1942-1947, when the property was leased by the U.S. Army, since Respondent acquired interest in the property, is has not conducted ship building, retrofitting, maintenance, or repair. Rogers Terminal provides stevedoring services, operating a fabrication shop for the manufacturing and repair of marine-related equipment including gangways and wire cable that are used in unloading cargo and in securing ships. Rogers also conducts minor vehicle repair on the forklifts and trucks used by Rogers. None of these activities related to ship building or maintenance.

45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.

RESPONSE:

Not applicable.

46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.

RESPONSE:

Not applicable.

47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s): ("PCB(s)" or PCB(s)-containing materials or liquids.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Although Cargill has no knowledge of PCB manufacture, use, storage, handling, disposal, release or threatened release from such location, the Site Plan located in Appendix C of the December 4, 2003 Environmental Site Assessment reflects that there was a transformer building ("Transformer House") located immediately Southwest of the grain elevators on the Cargill T-4 Leasehold.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

This building was apparently wrecked and removed by a permit dated April 5, 1977 and completed by July 7, 1977. Cargill does not have this permit in its records, and current and former Cargill employees who have been interviewed for this response have no recollection that Cargill ever had any use, ownership interest or affiliation with this building or any transformers that may have been associated with the building.

ATC Environmental Site Assessment, December 4, 2003, p. 36-37,
CARG001481 – CARG001482.

The Environmental Site Assessment performed for the T-4 Leasehold in 2003 revealed that transformers observed within and outside T-4 buildings were dry transformers that do not contain PCBs. Any PCB-containing capacitors were replaced by or before 1988 as required by the EPA. Electrical transformers located at the leasehold during Cargill's occupancy were generally owned and maintained by the local power company.

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield Utah. On July 9 1990, the material was shipped to Aptus, Coffeerville, Kansas and the material was received on July 11, 1990. On October 23, 1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeerville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 – 37 –
CARG001481 – CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

B. Irving Dock, 800 N. River Street, Portland:

Cargill purchased this property on or about July 14, 1995 from Bunge Corporation in an asset purchase. At the time of the Cargill's purchase of the property, Bunge provided evidence that these were no PCBs at the property. Records show that the limited amount of PCB material previously used at the property had been removed from this property on or before 1988.

Cargill and its tenant CLD Pacific have not used PCB related material during their operation of the Irving Dock and as noted the small amount of PCB material which was apparently previously used on this property was removed from the property by 1988, prior to Cargill's ownership.

Cargill has reviewed all available documents and interviewed available employees and has found no documentation or evidence of PCB containing material ever having been present at any other Cargill related site in the Investigation area.

Irving Dock Due Diligence documentation – CARG003315

48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s): or PCB(s): containing materials or liquids.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Although Cargill has no knowledge of PCB manufacture, use, storage, handling, disposal, release or threatened release from such location, the Site Plan located in Appendix C of the December 4, 2003 Environmental Site Assessment reflects that there was a transformer building ("Transformer House") located immediately Southwest of the grain elevators on the Cargill T-4 Leasehold.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505.

This building was apparently wrecked and removed by a permit dated April 5, 1977 and completed by July 7, 1977. Cargill does not have this permit in its records, and current and former Cargill employees who have been interviewed for this response have no recollection that Cargill had any use, ownership interest or affiliation with this building or any transformers that may have been associated with the building.

ATC Environmental Site Assessment, December 4, 2003, p. 36-37,
CARG001481 – CARG001482

The Environmental Site Assessment performed for the T-4 Leasehold in 2003 revealed that transformers observed within and outside T-4 buildings were dry transformers that do not contain PCBs. Any PCB-containing capacitors were replaced by or before 1988 as required by the EPA. Electrical transformers located at the leasehold during Cargill's occupancy were generally owned and maintained by the local power company.

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield Utah. On July 9 1990, the material was shipped to Aptus, Coffeeville, Kansas and the material was received on July 11, 1990. On October 23, 1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeeville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 – 37 –
CARG001481 – CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

Irving Dock, 800 N. River Street, Portland

Cargill purchased this property on or about July 14, 1995 from Bunge Corporation in an asset purchase. At the time of the Cargill's purchase of the property, Bunge provided evidence that these were no PCBs at the property. Records show that the limited amount of PCB material previously used at the property had been removed from this property on or before 1988.

Cargill and its tenant CLD Pacific have not used PCB related material during their operation of the Irving Dock and as noted the small amount of PCB material which was apparently previously used on this property was removed from the property by 1988, prior to Cargill's ownership.

Cargill has reviewed all available documents and interviewed available employees and has found no documentation or evidence of PCB containing material ever having been present at any other Cargill related site in the Investigation area.

Irving Dock Due Diligence documentation – CARG003315

49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Although Cargill has no knowledge of PCB manufacture, use, storage, handling, disposal, release or threatened release from such location, the Site Plan located in Appendix C of the December 4, 2003 Environmental Site Assessment reflects that there was a transformer building ("Transformer House") located immediately Southwest of the grain elevators on the Cargill T-4 Leasehold. Any PCB-containing capacitors were replaced by or before 1988 as required by the EPA.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

This building was apparently wrecked and removed by a permit dated April 5, 1977 and completed by July 7, 1977. Cargill does not have this permit in its records, and current and former Cargill employees who have been interviewed for this response have no recollection that Cargill had any use, ownership interest or affiliation with this building or any transformers that may have been associated with the building.

ATC Environmental Site Assessment, December 4, 2003, p. 36-37,
CARG001481 – CARG001482.

The Environmental Site Assessment performed for the T-4 Leasehold in 2003 revealed that transformers observed within and outside T-4 buildings were dry transformers that do not contain PCBs. Any PCB-containing capacitors were replaced by or before 1988 as required by the EPA. Electrical transformers located at the leasehold during Cargill's occupancy were generally owned and maintained by the local power company.

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield Utah. On July 9 1990, the material was shipped to Aptus, Coffeerville, Kansas and the material was received on July 11, 1990. On October 23,

1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeerville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 – 37 –
CARG001481 – CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

B. Irving Dock, 800 N. River Street, Portland:

Cargill purchased this property on or about July 14, 1995 from Bunge Corporation in an asset purchase. At the time of the Cargill's purchase of the property, Bunge provided evidence that these were no PCBs at the property. Records show that the limited amount of PCB material previously used at the property had been removed from this property on or before 1988.

Cargill and its tenant CLD Pacific have not used PCB related material during their operation of the Irving Dock and as noted the small amount of PCB material which was apparently previously used on this property was removed from the property by 1988, prior to Cargill's ownership.

Cargill has reviewed all available documents and interviewed available employees and has found no documentation or evidence of PCB containing material ever having been present at any other Cargill related site in the Investigation area.

Irving Dock Due Diligence documentation – CARG003315

Section 5.0 Regulatory Information

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

RESPONSE:

Cargill's facilities were regulated by several state and federal agencies, including:

1. U.S. Environmental Protection Agency
 2. Oregon Department of Environmental Quality
 3. U.S. Army Corps of Engineers
 4. Oregon Department of State Lands
 5. Occupational Safety and Health Administration
 6. Port of Portland
 7. The Oregon State Fire Marshall
51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.

RESPONSE:

Cargill is unaware of any responsive occurrences associated with violations, citations, deficiencies and/or accidents concerning any property in which it has an interest at the site. After a search of the documents in its possession and interviews with available employees, Cargill is unable to provide documents associated with any such occurrence.

52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

CLD Pacific Grain, LC is listed as a RCRIS Small Quantity Generator, as well as being in the FINDS, HSIS, and AST databases. According to the EDR database report, CLD is a Conditionally Exempt Small Quantity Generator; therefore, information about waste streams was

not reported to regulatory authorities. According to the DEQ's Facility Profiler, Cargill/CLD was first listed as a CESQG on May 13, 1998. According to the EDR database report, there are no violations on file. According to the ATC Site Assessment conducted in 2003, the RCRIS-SQG status is not considered to represent an environmental concern to the property. Cargill has a general stormwater NPDES permit for the site.

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
Section 5.1 Standard Environmental Records – p. 14, CARG001459

(T-4 0031) Air Contamination Discharge Permit issued to Cargill for T-4, 3/31/86 (date received), CARG000665 – CARG000673

(Irving and T-4 0034) Air Contaminant Discharge Permit; 1/15/98,
CARG003157 – CARG003176

(Irving and T-4 0032 and 0033) Army Corps of Engineers Dredge and Fill Permit, September 2007 - CARG003143 - CARG003156

(Irving & T-4 0041): Transfer Application for Air Contaminant Discharge Permit – CARG003212 – CARG003213

(Irving & T-4 0043): Air Contaminant Discharge Permit – CARG003217 – CARG003229

Department of State Lands Permit, January 2007 – (Irving Dock folder) - CARG003308 - CARG003311

T-4 Standard Air Contaminant Discharge Permit –CARG000455 - CARG000471

(Irving and T-4 0035) General NPDES Storm water Permit; 7/22/97 - CARG003177 - CARG003195

(Irving 0116): Letter from Cargill Law Dept. to DEQ-Business Office re Transfer Application for Air Contaminant Discharge Permit; 7/17/95 – CARG003011 - CARG003014

(Irving and T-4 0012); Transfer Application for Air Contaminant Discharge Permit; 12/3/01 - CARG003090 - CARG003091

(Irving and T-4 0036): Transfer Application for Air Contaminant Discharge Permit (file folder) - CARG003196 - CARG003197

(Irving and T-4 0037): Transfer Application for Air Contaminant Discharge Permit - CARG003198 - CARG003199

Irving Dock Air Discharge Permit; 08/07/95 – CARG003299 – CARG003307.

(Irving and T-4 0015 and Irving and T-4 0017); Checks from Cargill to ODEQ; 11/15/01 - CARG003094 - CARG003095 and CARG003098 - CARG003099

(Irving 0114): Environmental Activity Report, Letter from ODEQ to Cargill, 10/9/97 - CARG003002 - CARG003006

(Irving and T-4 0029-0030): Letter from Cargill to Oregon Division of State Lands re Removal Fill Permit Transfer; 12/19/01, Letter from Cargill to ODEQ re NPDES Permit Transfer; 12/19/01 - CARG003129 - CARG003137

(Irving and T-4 0016) Transfer Application for Air Contaminant Discharge Permit; 12/3/01

B. Irving Dock, 800 N. River Street, Portland:

(Irving and T-4 00043) Air Contaminant Discharge Permit Irving, 8/5/99, CARG003217 - CARG003229

(Irving and T-4 0032 and 0033) Army Corps of Engineers Dredge and Fill Permit, September 2007 - CARG003143 - CARG003156

(Irving and T-4 0035) General NPDES Storm water Permit; 7/22/97 - CARG003177 - CARG003195

C. Globe Dock / "O" Dock/ Kerr Gifford Dock, foot of N. Holladay Street, Portland:

(Irving and T-4 0038) Air Contamination Discharge Permit, Application Review Report, CARG003200 - CARG003211

53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.

RESPONSE:

Cargill's Terminal 4 leasehold provided a Hazardous Waste Manifest filed regarding transportation of the thirty-two PCB capacitors, dated June 27, 1988. Cargill's Terminal 4 leasehold also provided a Hazardous Waste Activity Notification in 1998 for the one time shipment of collected materials by Van Waters & Rogers..

ATC Environmental Site Assessment Report for T-4, December 4, 2003, App. J, CARG001975 - CARG001989 (Hazardous Waste Activity Notification)

ATC Environmental Site Assessment Report for T-4, December 4, 2003 - App. J. Uniform Hazardous Waste Manifest, (07/15/1998) - CARG001979

54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.

RESPONSE:

CLD Pacific Grain, LC is listed as a RCRIS Small Quantity Generator, as well as being in the FINDS, HSIS, and AST databases. According to the EDR database report, CLD is a Conditionally Exempt Small Quantity Generator; therefore, information about waste streams was not reported to regulatory authorities. According to the DEQ's Facility Profiler, Cargill/CLD was first listed as a CESQG on May 13, 1998. According to the EDR database report, there are no violations on file. According to the ATC Site Assessment conducted in 2003, the RCRIS-SQG status is not considered to represent an environmental concern to the property.

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
Section 5.1 Standard Environmental Records – p. 14, CARG001459

55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

RESPONSE:

The Uniform Hazardous Waste Manifest filed regarding transportation of the thirty-two PCB capacitors, dated June 27, 1988, reflects Cargill T-4 leasehold's Generator ID Number as ORD100008110. The Uniform Hazardous Waste Manifest filed regarding the materials disposed of by Van Waters & Rogers, dated July 15, 1998, reflects Cargill T-4 leasehold's Generator ID Number as ORDO47945027.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– App. J. Uniform Hazardous Waste Manifest, (06/27/1988) –
CARG001957

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– App. J. Uniform Hazardous Waste Manifest, (07/15/1998) –
CARG001979

56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

RESPONSE:

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield, Utah. On July 9 1990, the material was shipped to Aptus, Coffeerville, Kansas and the material was received on July 11, 1990. On October 23, 1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeerville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988. The Uniform Hazardous Waste Manifest documents, filed by North American Environmental and its transporter, International Waste Transport Services, can be found at Appendix J of the ATC Environmental Site Assessment, CARG001957, CARG001961 - CARG001962, CARG001964, CARG001966 - CARG001967, CARG001970 - CARG001971, CARG001979.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
- Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 - 37 -
CARG001481 - CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

In February 1998, chemicals stored in an area referred to as the "bull pen" were disposed of by Van Waters & Rogers. The reason for the disposal was to discard out-of-date products. The Uniform Hazardous Waste Manifest documents, filed by Van Waters & Rogers, note the disposal of 400 pounds of paint and solvent, 1,200 pounds of primer, and 250 pounds of solvent degreaser (TCE).

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
Section 6.7 Waste Generation, Storage, and Disposal, - CARG001483,
App. J, CARG001975 - CARG001989

57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

RESPONSE:

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield Utah. On July 9 1990, the material was shipped to Aptus, Coffeerville, Kansas and the material was received on July 11, 1990. On October 23, 1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeerville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988. The Uniform Hazardous Waste Manifest documents, filed by North American Environmental and its transporter, International Waste Transport Services, can be found at Appendix J of the ATC Environmental Site Assessment, CARG001957, CARG001961 - CARG001962, CARG001964, CARG001966 - CARG001967, CARG001970 - CARG001971, CARG001979.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
- Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 - 37 -
CARG001481 - CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

In February 1998, chemicals stored in an area referred to as the "bull pen" were disposed of by Van Waters & Rogers. The reason for the disposal was to discard out-of-date products. The Uniform Hazardous Waste Manifest documents, filed by Van Waters & Rogers, note the disposal of 400 pounds of paint and solvent, 1,200 pounds of primer, and 250 pounds of solvent degreaser (TCE).

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
App. J, CARG001975 - CARG001989

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.

RESPONSE:

Cargill has made reports under the following environmental laws and regulations:

1. Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. §§ 1251 et seq.
2. Oregon Water Quality laws and related regulations, ORS Chapter 468(b),
3. Clean Air Act, 42 U.S.C. §§ 7401-7671 et seq, regulations: 40 CFR §§ 50-88

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
Section 5.1 Standard Environmental Records, pp. 14 - 22 -
CARG001459 – CARG001467

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield Utah. On July 9 1990, the material was shipped to Aptus, Coffeerville, Kansas and the material was received on July 11, 1990. On October 23, 1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeerville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 – 37 –
CARG001481 – CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

In February 1998, chemicals stored in an area referred to as the "bull pen" were disposed of by Van Waters & Rogers. The reason for the disposal was to discard out-of-date products. The Uniform Hazardous Waste Manifest documents, filed by Van Waters & Rogers, note the disposal of 400 pounds of paint and solvent, 1,200 pounds of primer, and 250 pounds of solvent degreaser (TCE).

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
App. J, CARG001975 - CARG001989

59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s): or PCB(s): containing materials or liquids on any Property identified in response to Question 4.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

On August 4, 1988 one wooden box containing thirty two PCB capacitors was shipped to North American Environmental, Inc., Clearfield Utah. On July 9 1990, the material was shipped to Aptus, Coffeerville, Kansas and the material was received on July 11, 1990. On October 23, 1988, one drum of PCB oil material (generated from switches and motors) was shipped to Aptus Coffeerville, Kansas and received on October 25, 1988. On December 8, 1988 five drums of PCB motors and switches were shipped Enviro Safe Services of Idaho in Grandview, Idaho. The material was received on December 9, 1988.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– Section 6.5 Polychlorinated Biphenyls (PCBs), pp. 36 – 37 –
CARG001481 – CARG001482.

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
PCB Removal Documentation, App. J, Letter from Kathy Scott, North
American Environmental, Inc. to Mr. Dave Neustel, Westinghouse
Electric Corporation, July 26, 1990 - CARG001956

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Aptus Certificate of Disposal for North American Environmental -
CARG001968

ATC Environmental Site Assessment Report for T-4, December 3, 2003,
Envirosafe Services of Idaho Certificate of Disposal - CARG001972

B. Irving Dock, 800 N. River Street, Portland

Cargill purchased this property on or about July 14, 1995 from Bunge Corporation in an asset purchase. At the time of Cargill's purchase of the property, Bunge provided evidence that there were no PCBs at the property. Records show that the limited amount of PCB material previously used at the property had been removed from this property on or before 1988.

Cargill and its tenant CLD Pacific have not used PCB related material during their operation of the Irving Dock and as noted the small amount of PCB material which was apparently previously used on this property was removed from the property by 1988, prior to Cargill's ownership.

Cargill has reviewed all available documents and interviewed available employees and has found no documentation or evidence of PCB containing material ever having been present at any other Cargill related site in the Investigation area.

Irving Dock Due Diligence documentation – CARG003315

60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL"): or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

According to a Draft Voluntary Agreement for Remedial Investigation, Feasibility Study and Source Control Measures between the Port of Portland and the Oregon Department of Environmental Quality, dated March 25, 2002, "In 1984, Cargill had a release of gear grease at Pier 1 that went in to the Slip which was responded to by Reidel Environmental." ATC located no additional information about the incident, which is listed in the draft agreement as a potential source of contamination at Terminal 4. All documentation Respondent has in response to this incident is contained within the ATC site assessment.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
- CARG001483

The ATC site assessment also describes a release on September 25, 1993, of approximately 1/2 gallon of Chevron AW 32 hydraulic oil to the Willamette River when a hydraulic hose failed at the barge slip. The ATC Environmental Site Assessment includes several documents describing this release and Cargill's actions to address the September 25, 1993 spill of 1/2 gallon of Chevron AW 32 hydraulic oil. These documents include:

1. Environmental Activity Report, September 25, 1993 – CARG001934.
2. Hand-written Notes of Cargill employee – CARG001935.
3. Typed Message from Doug Laurents to Dennis Klein – CARG001936.
4. Letter from Paul Christiansen, Oregon Department of Environmental Quality, to Mr. Doug Dunlay, Cargill Incorporation, September 27, 1993 – CARG001937.
5. Spill Report, Cargill Internal Memo by Doug Dunlay to Paul Christiansen, October 4, 1993 – CARG001938 – CARG001939.
6. Agency Notification Record, Mark Bonk, September 25, 1993 – CARG001940.
7. Spill Reporting Form, Mark Bonk – CARG001941.

ATC Environmental Site Assessment, December 4, 2003 at Appendix. J
- CARG001925 – CARG001991

As noted by these documents, Cargill immediately responded to the release, notified authorities of the release and used using 3M oil absorbent pads to pick up oil from the river. Cargill's environmental contractor was on site within an hour and a half and there was no visible sheen or odor remaining after the clean up.

ATC reviewed records of HAZMAT responses in the vicinity of the property from the State Fire Marshal's Community Right-to-Know database. The database was searched by zip code. One record was located for the address 11000 N. Lombard Street. On January 5, 1995, four workers at this address were treated and transported to medical facilities for headache, nausea, and respiratory problems as a result of possible contamination at fumigation operations. The incident report states "chemical was some for of Degesch." Degesch is the manufacturer of Phostoxin, the fumigant employed by Cargill and CLD in recent years to kill insects in the grain silos. According to the Incident Report, the substance involved was a waste material, and the incident was caused by normal operations. Cargill found no other documents related to this incident.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
– Section 5.1 Local Environmental Records, pp. 21 – 22 -
CARG001466– CARG001467

B. Irving Dock, 800 N. River Street, Portland:

From interviews with the tenant CLD Pacific employees, Respondent understands that there were two small releases of gear grease into the Willamette River from this facility in 2008. The first of these releases was in August of 2008 and involved 8 to 10 gallons of gear grease. Proper authorities were notified of the release. The second release was of less than a quart of gear grease in December 2008. Proper authorities were notified of the release. Cargill has no documents or other information about these releases.

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

RESPONSE:

This question is not applicable.

Section 6.0 Releases and Remediation

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:
- when such releases occurred;
 - how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
 - the amount of each hazardous substances, pollutants, or contaminants so released;
 - where such releases occurred;
 - any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
 - any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
 - all persons with information relating to these releases; and
 - list all local, state, or federal departments or agencies notified of the release, if applicable.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

According to a Draft Voluntary Agreement for Remedial Investigation, Feasibility Study and Source Control Measures between the Port of Portland and the Oregon Department of Environmental Quality, dated March 25, 2002, "In 1984, Cargill had a release of gear grease at Pier 1 that went in to the Slip which was responded to by Reidel Environmental." ATC located no additional information about the incident, which is listed in the draft agreement as a potential

source of contamination at Terminal 4. All documentation Respondent has in response to this incident is contained within the ATC site assessment.

ATC Environmental Site Assessment Report for T-4, December 4, 2003,
Section 6.7 Waste Generation, Storage, and Disposal - CARG001483

On March 21, 1991, Cargill filled out an Environmental Activity Report (EV-101), stating a hydraulic hose, on a truck dump chock manifold, broke, spilling hydraulic oil in to the truck hoist pit. Some oil was soaked up in the dust, and some entered the dewatering sump and was possibly discharged in to the sanitary sewer system. Oil was retrieved by Spencer Environmental Services from the truck sump. The report noted that, in the future, spills could be prevented by removing the "automatic" dewatering switch.

(T-4 0032): Cargill Environmental Activity Report, 04/01/91,
CARG000678

See also, Transport by Spencer Environmental, 04/01/1991 -
CARG001942

On April 12, 1991, Cargill employees filled out an EV-101, stating that a Port security officer noticed something floating on the water surface and reported it to the U.S. Coast Guard. The Coast Guard decided it was grain dust and "edible oil." The report from the Port indicated that an oily film was discovered between P1 and P2, starting under the Pier 401 area and toward the head of the slip. The Port called the pollution investigator, who identified the substance as "grain dust and edible oil, no danger."

(T-4 0032): Environmental Action Report, Marine Security Special
Reports in response to minor spill; 3/28/91 - CARG000674 -
CARG000677

The ATC site assessment mentions a release on September 25, 1993, of approximately 1/2 gallon of Chevron AW 32 hydraulic oil to the Willamette River when a hydraulic hose failed at the barge slip. The ATC Environmental Site Assessment includes several documents describing this release and Cargill's actions to address the September 25, 1993 spill of 1/2 gallon of Chevron AW 32 hydraulic oil. These documents include:

1. Environmental Activity Report, September 25, 1993 – CARG001934.
2. Hand-written Notes of Cargill employee – CARG001935.
3. Typed Message from Doug Laurents to Dennis Klein – CARG001936.
4. Letter from Paul Christiansen, Oregon Department of Environmental Quality, to Mr. Doug Dunlay, Cargill Incorporation, September 27, 1993 – CARG001937.
5. Spill Report, Cargill Internal Memo by Doug Dunlay to Paul Christiansen, October 4, 1993 – CARG001938 – CARG001939.

6. Agency Notification Record, Mark Bonk, September 25, 1993 – CARG001940.
7. Spill Reporting Form, Mark Bonk – CARG001941.

ATC Environmental Site Assessment, December 4, 2003 at Appendix. J
- CARG001925 – CARG001991

As noted by these documents, Cargill immediately responded to the release, notified authorities of the release and used using 3M oil absorbent pads to pick up oil from the river. Cargill's environmental contractor was on site within an hour and a half and there was no visible sheen or odor remaining after the clean up.

The ATC site assessment also indicated that dark surface staining was observed between and along the railroad tracks where the prior on-site locomotive operated on this section of the rail. Documents from the Port of Portland indicate that the Port may have investigated railroad track staining at T-4 as a part of its Remedial Investigation. Other than the ATC Site Assessment and the Port's Remedial Investigation, Cargill has no other information concerning investigations in this area, however, there may be additional documentation held by the Port of Portland or other parties privy to the Remedial Investigation.

(T-4 0141): Potential Areas of Concern Evaluation, Table 1, CARG001232.

(T-4 0092): Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005, CARG000972-CARG000983.

(T-4 0104): Proposed RI Sampling locations CARG001058 – CARG001059

As part of its decommissioning activities, stained soils contaminated with hydraulic oil were found in the area around a storage shed and the C-11 Hydraulic Room. Cargill performed a rigorous site characterization and performed the required contaminated soils excavation based on its investigation. MACTEC believed the source of the oil to be hydraulic oil, but no specific spill was known to have occurred by personnel. The date of the release and how exactly the release occurred is unknown.

A total of 66.23 tons (approximately 51 cu yards) of soil was excavated from the area of concern on November 18 and November 19, 2003. Along with 21.88 tons of material excavated in 2002 from the area of concern, a total of 88.11 tons (approximately 68 cu yards) of soil were removed, transported, and reported as received at the TPS facility (a copy of the "Customer Job Report" from TPS is enclosed).

On January 2, 2004 TPS reported that destruction of those materials was complete. The results of the post excavation sampling combined with the visual and olfactory techniques used in the field indicate that cleanup to the referenced cleanup criteria-USEPA Region 9 PRG Industrial Standards and Soil Screening Levels, was successfully achieved.

ATC Environmental Site Assessment, December 4, 2003, App. J –
Harding ESE Soil Sample Locations Map - CARG001930

ATC Environmental Site Assessment, December 4, 2003, App. J –
MACTEC Soil Sample Results - CARG001931 – CARG001933

(T-4 0143): Hydraulic Oil Contaminated Soils Cleanup - CARG001258-
CARG001264.

(T-4 0106): Soil Recycling Certificate; 12/16/03 - CARG001072 -
CARG001073

(T-4 0108): Letter from Cargill AgHorizons to Port re Remediation of
Contamination Soil at T-4; 9/30/03 - CARG001078 - CARG001080

(T-4 0112): E-mails (sent outside of Cargill): regarding T-4 remediation
- CARG001096 - CARG001098

(T-4 0113): Work Order No. 03-0017 Between MACTEC and Cargill
for Soils Clean-Up; 1/27/03 - CARG001099 - CARG001101

(T-4 0142): Letter from Cargill AgHorizons to Port conveying final
MACTEC report for soils cleanup; 3/23/04 - CARG001246 -
CARG001257

(T-4 0143) Executive Summary Report, Cargill Former T-4 Terminal,
Portland Oregon, Hydraulic Oil Contaminated Soils Clean-up,
November 18-19, 2003 – CARG001258 – CARG001264

(LAW #2006022): Professional Services Order No. 03-0190 -
Agreement Between MACTEC and Cargill for T-4; 10/16/03 -
CARG001437 - CARG001441

(T-4 0104): Phase I and Phase II Sample Locations, Port of Portland,
Terminal 4 slip 1 Upland Facility Map, 7/04, CARG001057

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

The Rogers Terminal & Shipping facility leasehold located at 11040 N. Lombard Ave., Portland, Oregon at T-4 had a 10,000 gallon tank which was decommissioned and removed in 1990. The UST was not used by Rogers Terminal during its occupancy of the facility. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs.

Environmental Site Report, Hahn and Associates, October 30, 1989
CARG004163 – CARG00 4184

Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

Ash Creek Associates Report - CARG003687 – CARG003719

An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop", where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514.

Environmental Site Report, Hahn and Associates, October 30, 1989
CARG004163 – CARG00 4184

C. Irving Dock, 800 N. River Street, Portland:

From interviews with the tenant CLD Pacific employees, Respondent understands that there were two small releases of gear grease into the Willamette River from this facility in 2008. The first of these releases was in August of 2008 and involved 8 to 10 gallons of gear grease. Proper authorities were notified of the release. The second release was of less than a quart of gear grease in December 2008. Proper authorities were notified of the release. Cargill has no documents or other information about these releases.

D. Cargill Molasses Storage, 12005 N. Burgard Street, Portland:

A molasses spill occurred December 14, 1989. The report indicated that the spill was contained to concrete area surrounding pump, and all spilled molasses were recovered and used.

(Rogers 0014): Environmental Activity Report; 12/28/89 –
CARG003483 – CARG003485

63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property?

If the answer to the preceding question is anything but an unqualified "no", identify:

- a. where the disposal system or floor drains were located;
- b. when the disposal system or floor drains were installed;
- c. whether the disposal system or floor drains were connected to pipes;
- d. where such pipes were located and emptied;
- e. when such pipes were installed;
- f. how and when such pipes were replaced, or repaired; and
- g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

RESPONSE

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

On March 21, 1991, Cargill filled out an Environmental Activity Report (EV-101), stating a hydraulic hose, on a truck dump chock manifold, broke, spilling hydraulic oil in to the truck hoist pit. Some oil was soaked up in the dust, and some entered the dewatering sump and was possibly discharged in to the sanitary sewer system. Oil was retrieved by Spencer Environmental Services from the truck sump. The report noted that, in the future, spills could be prevented by removing the "automatic" dewatering switch.

(T-4 0032): Cargill Environmental Activity Report, 04/01/91,
CARG000678

See also, Transport by Spencer Environmental, 04/01/1991 -
CARG001942

64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- a. amount of soil excavated;
 - b. location of excavation presented on a map or aerial photograph;
 - c. manner and place of disposal and/or storage of excavated soil;
 - d. dates of soil excavation;
 - e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;

- f. reason for soil excavation;
- g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
- h. all analyses or tests and results of analyses of the soil that was removed from the Property;
- i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
- j. all persons, including contractors, with information about (a) through (i): of this request.

RESPONSE:

Yes.

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

As part of its decommissioning activities, stained soils contaminated with hydraulic oil were found in the area around a storage shed and the C-11 Hydraulic Room. Cargill performed a rigorous site characterization and performed the required contaminated soils excavation based on its investigation. MACTEC believed the source of the oil to be hydraulic oil, but no specific spill was known to have occurred by personnel. The date of the release and how exactly the release occurred is unknown.

A total of 66.23 tons (approximately 51 cu yards) of soil was excavated from the area of concern on November 18 and November 19, 2003. Along with 21.88 tons of material excavated in 2002 from the area of concern, a total of 88.11 tons (approximately 68 cu yards) of soil were removed, transported, and reported as received at the TPS facility (a copy of the "Customer Job Report" from TPS is enclosed).

On January 2, 2004 TPS reported that destruction of those materials was complete. The results of the post excavation sampling combined with the visual and olfactory techniques used in the field indicate that cleanup to the referenced cleanup criteria-USEPA Region 9 PRG Industrial Standards and Soil Screening Levels, was successfully achieved.

ATC Environmental Site Assessment, December 4, 2003, App. J –
Harding ESE Soil Sample Locations Map - CARG001930

ATC Environmental Site Assessment, December 4, 2003, App. J –
MACTEC Soil Sample Results - CARG001931 – CARG001933

See (T-4 0143): Hydraulic Oil Contaminated Soils Cleanup -
CARG001258-CARG001264.

(T-4 0106): Soil Recycling Certificate; 12/16/03 - CARG001072 -
CARG001073

(T-4 0108): Letter from Cargill AgHorizons to Port re Remediation of Contamination Soil at T-4; 9/30/03 - CARG001078 - CARG001080

(T-4 0112): E-mails (sent outside of Cargill): regarding T-4 remediation - CARG001096 - CARG001098

(T-4 0113): Work Order No. 03-0017 Between MACTEC and Cargill for Soils Clean-Up; 1/27/03 - CARG001099 - CARG001101

(T-4 0142): Letter from Cargill AgHorizons to Port conveying final MACTEC report for soils cleanup; 3/23/04 - CARG001246 - CARG001257

(T-4 0143) Executive Summary Report, Cargill Former T-4 Terminal, Portland Oregon, Hydraulic Oil Contaminated Soils Clean-up, November 18-19, 2003 – CARG001258 – CARG001264

(LAW #2006022): Professional Services Order No. 03-0190 - Agreement Between MACTEC and Cargill for T-4; 10/16/03 - CARG001437 - CARG001441

(T-4 0104): Phase I and Phase II Sample Locations, Port of Portland, Terminal 4 slip 1 Upland Facility Map, 7/04, CARG001057

65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.

RESPONSE:

A Start Card found in the ATC Report indicates work was to begin on filling an unused well with concrete on April 1, 1992. Oil found in the well was sampled and found to be non-detect for PCBs.

ATC Environmental Site Assessment; December 4, 2003, p. 40 – CARG001485, App. J, CARG001946 – CARG001953

66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- reason for groundwater action;
 - whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;
 - all analyses or tests and results of analyses of the groundwater;
 - if the groundwater action has been completed, describe the basis for ending the groundwater action; and
 - all persons, including contractors, with information about (a): through (c): of this request.

RESPONSE:

A Start Card found in the ATC Report indicates work was to begin on filling an unused well with concrete on April 1, 1992. Oil found in the well was sampled and found to be non-detect for PCBs.

ATC Environmental Site Assessment; December 4, 2003, p. 40 – CARG001485, App. J, CARG001946 – CARG001953.

67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:
- the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;
 - the dates of each such occurrence;
 - the amount and location of such release;
 - were sheens on the river created by the release;
 - was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.

RESPONSE:

T-4 Cargill Leasehold 1100 North Lombard Avenue, Portland

According to a Draft Voluntary Agreement for Remedial Investigation, Feasibility Study and Source Control Measures between the Port of Portland and the Oregon Department of Environmental Quality, dated March 25, 2002, "In 1984, Cargill had a release of gear grease at Pier 1 that went in to the Slip which was responded to by Reidel Environmental." ATC located no additional information about the incident, which is listed in the draft agreement as a potential source of contamination at Terminal 4. All documentation Respondent has in response to this incident is contained within the ATC site assessment.

ATC Environmental Site Assessment Report for T-4, December 4, 2003
- CARG001483

On September 25, 1993, of approximately 1/2 gallon of Chevron AW 32 hydraulic oil to the Willamette River when a hydraulic hose failed at the barge slip. The ATC Environmental Site Assessment indicates that Riedel Environmental Services conducted the cleanup of the spill; however, there was no information provided to substantiate this. The ATC Environmental Site Assessment includes several documents describing this release and Cargill's actions to address the September 25, 1993 spill of 1/2 gallon of Chevron AW 32 hydraulic oil. These documents include:

1. Environmental Activity Report, September 25, 1993 – CARG001934.
2. Hand-written Notes of Cargill employee – CARG001935.
3. Typed Message from Doug Laurents to Dennis Klein – CARG001936.
4. Letter from Paul Christiansen, Oregon Department of Environmental Quality, to Mr. Doug Dunlay, Cargill Incorporation, September 27, 1993 – CARG001937.
5. Spill Report, Cargill Internal Memo by Doug Dunlay to Paul Christiansen, October 4, 1993 – CARG001938 – CARG001939.
6. Agency Notification Record, Mark Bonk, September 25, 1993 – CARG001940.
7. Spill Reporting Form, Mark Bonk – CARG001941.

ATC Environmental Site Assessment, December 4, 2003 at Appendix. J
- CARG001925 – CARG001991

As noted by these documents, Cargill immediately responded to the release, notified authorities of the release and used using 3M oil absorbent pads to pick up oil from the river. Cargill's environmental contractor was on site within an hour and a half and there was no visible sheen or odor remaining after the clean up.

Irving Dock, 800 N. River Street, Portland:

From interviews with the tenant CLD Pacific employees, Respondent understands that there were two small releases of gear grease into the Willamette River from this facility in 2008. The first of these releases was in August of 2008 and involved 8 to 10 gallons of gear grease. Proper authorities were notified of the release. The second release was of less than a quart of gear grease in December 2008. Proper authorities were notified of the release. Cargill has no documents or other information about these releases.

68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s): containing materials or liquids, and the nature of any response to or cleanup of the release.

RESPONSE:

Cargill has reviewed all available documents and interviewed available employees and has found no information or documentation indicating that there have been any releases or threatened releases of PCB(s). Accordingly, this question does not apply.

69. For any releases or threatened releases of PCB(s): and/or PCB(s): containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.

RESPONSE:

Cargill has reviewed all available documents and interviewed available employees and has found no information or documentation indicating that there have been any releases or threatened releases of PCB(s). Accordingly, this question does not apply.

Section 7.0 Property Investigations

70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.

RESPONSE:

Cargill has reviewed all available documents and interviewed available employees and has found no information and documentation concerning all inspections, evaluations, safety

audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.

71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.

RESPONSE:

Remedial Investigation/ Feasibility Study: The Port of Portland may have conducted investigations in areas around several tanks at T-4 as a part of its Remedial Investigation:

(T-4 0141): Potential Areas of Concern Evaluation, Table 1,
CARG001231-CARG001238.

(T-4 0092): Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005, CARG000972-CARG000983.

(T-4 0103): Letter from Kristi Maitland, Port of Portland, to Tom Gainer, June 1, 2005 - CARG001041 - CARG001046

LAW #2005187 Port of Portland Terminal 4 Removal Action Area,
Portland harbor Superfund Site; Portland, Oregon - CARG001404 -
CARG001425

Cargill has included all responsive documents in its possession, however, there may be additional documentation held by the Port of Portland or other parties privy to this investigation.

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

- *ATC Environmental Site Assessment:* At the request of CLD Pacific Grain, LLC, ATC Associates, Inc. performed an environmental assessment of the Cargill facility at the Port of Portland's Terminal 4 property. The objective of the assessment was to identify the presence, use, or release on the property of hazardous substances or petroleum products, as well as potential environmental conditions. The ATC assessment, dated December 4, 2003, touched on hazardous substances, geology, and hydrology of the property. Regarding historic use of hazardous substances on the property, ATC noted the use of Phostoxin tablets and Malathion, as well as a liquid form of Weevil-Cide and unidentified rodenticides on the property, but concluded that, because these products were either not stored on site or were not hazardous substances, they did not pose an environmental threat.

ATC Environmental Site Assessment, December 4, 2003 at Appendix. J
- CARG001442 - CARG001997

(T-4 0110): Letter from Port to Cargill re Environmental Site Assessment of T-4; 9/19/03 - CARG001083 - CARG001085

(T-4 0136): Letter from Port to ATC Associates re Port Input Into Cargill Exit Audit; 11/14/03 - CARG001212 - CARG001219

(LAW #2005361): Letter from Port of Portland to CLD Pacific Grain re Environmental Site Assessment of T-4; 9/19/03 - CARG001426 - CARG001428

(LAW #2005907): Emails regarding Port of Portland request for information re Environmental Site Assessment of T-4 - CARG001429 - CARG001431

LAW #2005167 Letter from Port of Portland to ATC Associates; 11/24/03; Administrative Order on Consent for Removal Action - CARG001351 - CARG001403

- *Site Characterization and MACTEC Remediation:* As part of its decommissioning activities, stained soils contaminated with hydraulic oil were found in the area around a storage shed and the C-11 Hydraulic Room. Cargill performed a site characterization and hired MACTEC to perform the required contaminated soils excavation based on its investigation. MACTEC believed the source of the oil to be hydraulic oil, but no specific spill was known by personnel to have occurred. The date of the release and how exactly the release occurred is unknown. A total of 66.23 tons (approximately 51 cu yards) of soil was excavated from the area of concern on November 18 and November 19, 2003. Along with 21.88 tons of material excavated in 2002 from the area of concern, a total of 88.11 tons (approximately 68 cu yards) of soil were removed, transported, and reported as received at the TPS facility (a copy of the "Customer Job Report" from TPS is enclosed). On January 2, 2004 TPS reported that destruction of those materials was complete. The results of the post excavation sampling combined with the visual and olfactory techniques used in the field indicate that cleanup to the referenced cleanup criteria-USEPA Region 9 PRG Industrial Standards and Soil Screening Levels, was successfully achieved.

(T-4 0113): Work Order No. 03-0017 between MACTEC and Cargill for Soils Clean-Up; 1/27/03 - CARG001099 - CARG001101

(LAW #2006022): Professional Services Order No. 03-0190 - Agreement Between MACTEC and Cargill for T-4; 10/16/03 - CARG001437 - CARG001441

ATC Environmental Site Assessment, December 4, 2003 – pp. 37-38
Section 6.7 – Waste Generation Storage & Disposal - CARG001482 - CARG001383

(T-4 0106): Soil Recycling Certificate; 12/16/03 - CARG001072 - CARG001073

(T-4 0114-0118): Correspondence from Cargill to MACTEC conveying AutoCAD sketches, reports and communications; 12/13/02 - CARG001102 - CARG001119

- *Stormwater Characterization for T-4*: The Lower Willamette Group may have conducted stormwater characterization at the T-4 facility to evaluate whether stormwater may be a potential source of future adverse impact to the Willamette River. The characterization began in December 2006 and was extended to fall of 2007. Respondent has no further information regarding this investigation.

B. Irving Dock, 800 N. River Street, Portland:

Draft Sampling Analysis Plan for Dredge Material Disposal: Respondent commissioned ESE Harding to conduct a sampling and analysis of sediment material for disposal when Respondent was proposing to conduct maintenance dredging at its Irving facility. The sampling analysis concluded that the sediments collected were generally in accordance with appropriate regulatory guidelines. Bioassay analyses were also conducted and resulted in an overall assessment that the samples presented met the project requirements and were considered useable for the intended disposal site.

ATC Environmental Site Assessment, December 4, 2003, App. J – Harding ESE Soil Sample Locations Map - CARG001930

(Irving 0004-0005): Letter to Cargill from Harding ESE re Sampling and Analysis Plan; Dredge Material Disposal Planning; 3/1/01, Sampling and Analysis Plan Dredge Material Disposal Planning; 3/16/01 - CARG002011 - CARG002083

(Irving 0007-0008, 0011): Letter from Harding ESE to USACE attaching Results of Sediment Sampling and Analysis; 8/3/01 and 8/1/01 – findings and recommendations on CARG002108 – CARG002109, entire report at CARG002084 - CARG002303 and CARG002366 - CARG002393

(Irving 0009): Letter from Harding ESE to ODEQ re Results of Bioassay; 10/1/01 – results at CARG002306, entire report at CARG002304 - CARG002365

C. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop," where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514

72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

- *ATC Environmental Site Assessment:* At the request of CLD Pacific Grain, LLC, ATC Associates, Inc. performed an environmental assessment of the Cargill facility at the Port of Portland's Terminal 4 property. The objective of the assessment was to identify the presence, use, or release on the property of hazardous substances or petroleum products, as well as potential environmental conditions. The ATC assessment, dated December 4, 2003, touched on hazardous substances, geology, and hydrology of the property. Regarding historic use of hazardous substances on the property, ATC noted the use of Phostoxin tablets and Malathion, as well as a liquid form of Weevil-Cide and unidentified rodenticides on the property, but concluded that, because these products were either not stored on site or were not hazardous substances, they did not pose an environmental threat.

Site Characterization and MACTEC Remediation: As part of its decommissioning activities, stained soils contaminated with hydraulic oil were found in the area around a storage shed and the C-11 Hydraulic Room. Cargill performed a site characterization and hired MACTEC to perform the required contaminated soils excavation based on its investigation. MACTEC believed the source of the oil to be hydraulic oil, but no specific spill was known by personnel to have occurred. The date of the release and how exactly the release occurred is unknown. A total of 66.23 tons (approximately 51 cu yards) of soil was excavated from the area of concern on November 18 and November 19, 2003. Along with 21.88 tons of material excavated in 2002 from the area of concern, a total of 88.11 tons (approximately 68 cu yards) of soil were removed, transported, and reported as received at the TPS facility (a copy of the "Customer Job Report" from TPS is enclosed). On January 2, 2004 TPS reported that destruction of those materials was complete. The results of the post excavation sampling combined with the visual and olfactory techniques used in the field indicate that cleanup to the

referenced cleanup criteria-USEPA Region 9 PRG Industrial Standards and Soil Screening Levels, was successfully achieved.

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland:

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop," where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

(Rogers 0008): Environmental Site Report, Hahn and Associates,
October 30, 1989 CARG004163 – CARG00 4184

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514

73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:
- k. what the nature and scope of these investigations will be;
 - l. the contractors or other persons that will undertake these investigations;
 - m. the purpose of the investigations;
 - n. the dates when such investigations will take place and be completed; and
 - o. where on the Property such investigations will take place.

RESPONSE:

Cargill has no current plans to conduct any further investigations at the Properties.

Section 8.0 Corporate Information

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:
- state the current legal ownership structure (e.g., corporation, sole proprietorship);
 - state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;
 - discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;
 - the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and
 - if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

RESPONSE:

Cargill, Incorporated is organized as a corporation in the State of Delaware, and authorized to transact business in the State of Oregon. Current contact information for Cargill, Inc. is:

Cargill, Incorporated
15615 McGinty Road West
Wayzata, MN 55391-2398

Directors of Cargill, Inc. include:

Richard H. Anderson

Austen S. Cargill II, Ph.D.

James R. Cargill II

Arthur D. Collins, II

Paul D. Conway

Curtis S. Johnson

Richard M. Kovacevich

David M. Larson

David W. MacLennan

David D. MacMillan

John C. MacMillan

William B. MacMillan

Gregory R. Page

David W. Raisbeck

Lucy C. MacMillan Stitzer

Michael W. Wright

Corporate Officers of Cargill include:

Gregory R. Page	Chairman of the Board, CEO
David W. Raisbeck	Vice Chairman
David M. Larson	Executive Vice President
David W. MacLennan	Senior Vice President, CFO
William A. Buckner	Senior Vice President
Paul D. Conway	Senior Vice President
Richard D. Frasch	Senior Vice President
Patrick E. Bowe	Corporate Vice President
Ronald L. Christenson	Corporate Vice President, Chief Technology Officer
Steven C. Euller	Corporate Vice President, General Counsel, Corporate Sec.
John E. Geisler	Corporate Vice President
Todd B. Hall	Corporate Vice President
James N. Haymaker	Corporate Vice President
Rita J. Heise	Corporate Vice President, Information Technology
Galen G. Johnson	Corporate Vice President and Controller
Emery Koenig	Corporate Vice President
Christopher P. Mallet	Corporate Vice President
Jayne D. Olson	Corporate Vice President
Scott K. Portnoy	Corporate Vice President
Bonnie E. Raquet	Corporate Vice President, Corporate Affairs
Jerry R. Rose	Corporate Vice President
Lee B. Skoid	Corporate Vice President
Wayne R. Teddy	Corporate Vice President
Peter Vrijssen	Corporate Vice President, Human Resources

(Corporate Information) See list of Cargill, Inc. corporate officers and directors – CARG000001 – CARG000003

Rogers Terminal and Shipping Corp. is a business unit of Cargill Marine and Terminal, Inc., which is a wholly-owned subsidiary of Cargill, Incorporated. Current contact information for Rogers Terminal and Shipping Corp. is:

Rogers Terminal & Shipping
One Pacific Building
621 Pacific Avenue, Suite 109
Tacoma, WA 98402
Phone: 253-279-8798
Fax: 253-572-0977

CLD Pacific Grain, LLC is a joint venture between Respondent and Louis Dreyfus Corp. Respondent and Louis Dreyfus Corp. have an equal (50/50) percentage interest in CLD Pacific Grain. The principal office of CLD Pacific is:

CLD Pacific Grain, LLC
222 SW Columbia, Suite 1133
Portland, OR 97201

Registered agent:
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:
- whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale): if it is no longer in business;
 - names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and
 - names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.

RESPONSE:

Cargill is an international provider of food and feed products and services. Cargill, Incorporated continues to exist, and has a registered agent at the following address:

Cargill, Incorporated
15615 McGinty Road West
Wayzata, MN 55391-2398

Cargill has nearly 80 business units organized around five major segments. The following subsidiary companies all continue to exist. The following major segments include Cargill subsidiaries that are not related to the Properties in the Investigation Area.

Agricultural Services: providing crop and livestock producers worldwide with customized farm services and products.

Cargill AG Horizons, Canada

Cargill AG Horizons, U.S.

Cargill Animal Nutrition

Frontier Agriculture Limited

Renessen Feed and Processing

Food Ingredients and Applications

Origination and Processing: connecting producers and users of grain, oilseeds, and other agricultural commodities through origination, processing, marketing, and distribution capabilities and services.

Cargill Cotton

Cargill Grain and Oilseed Supply Chain

Cargill Sugar

Risk Management and Financial: providing risk management and financial solutions in a number of world markets.

BiOH Polyols

Black River Asset Management

Cargill Coal

Cargill Ferrous International

Cargill Global Emissions, Euro Power, & Gas Trading

Cargill Petroleum

Cargill Power & Gas N.A.

Cargill Risk Management

Cargill Trade & Structured Finance

CarVal Investors

Industrial: supplying customers worldwide with salt and steel products and services, and developing new industrial applications for feedstock.

Cargill Deicing Technology

Cargill Oils & Lubricants

Cargill Salt

NatureWorks, LLC

North Star Steel (BlueScope)

The Mosaic Company

76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.

RESPONSE:

The following documents are located on the CD under the Corporate Folder in the Corporate Authority To Do Business Documents. The bates range for each responsive document is provided below.

Certificate of Amendment and Amendment to Certificate of Incorporation For Cargill Export, Inc. filed December 21, 1984, State of Delaware – CARG000005 – CARG000009

Certificate of Incorporation for Cargill Export, Inc., filed January 3, 1972, State of Delaware – CARG000011 – CARG000028

Certificate of Authority and Application for Certificate of Authority, Cargill Marine and Terminal, Inc., dated January 18, 1985, State of Oregon – CARG000074 – CARG000076

Assumed Business Name Cancellation, Excel Country Fresh Meats Company, filed April 23, 1999, State of Oregon – CARG000077 – CARG000078

Excel Note to file dated December 23, 1997, enclosing check for Assumed Business Name Registration Renewal 1998 for Excel Country Fresh Meats Company, to State of Oregon. – CARG000079 – CARG000083

Assumed Business Name Registration for Excel Country Fresh Meats Company filed January 10, 1996, State of Oregon – CARG000084

CT Corp Letter dated December 11, 1989, advising of qualification of Excel Corporation in Oregon on December 8, 1989 – CARG000086 – CARG000087

State of Oregon Foreign Business Corporation Application for Authority to Transact Business for Excel Corporation, a Delaware corporation, filed December 8, 1989 – CARG000088

State of Oregon Assumed Business Name and Acknowledgment Letter advising that Application for Registration of name Excel Corporation of Delaware filed on August 16, 2004 – CARG000090

Rogers Terminal and Shipping Corporation Certificate of Authority dated February 14, 1972 from State of Oregon, together with copy of Application for Certificate of Authority filed same date – CARG000095 – CARG000097

2007 Application for Renewal, Rogers Terminal and Shipping, filed October 22, 2007, State of Oregon – CARG000098

2005 Application for Renewal, Rogers Terminal and Shipping filed October 27, 2005, State of Oregon – CARG000099

Renewal of assumed business name, Rogers Terminal and Shipping filed November 13, 2001, State of Oregon – CARG000100

Assumed Business Name/New Registration filed Nov 30, 1999, Rogers Terminal and Shipping, State of Oregon – CARG000101

Assumed Business Name Registration, Rogers Terminal and Shipping, filed Oct 9, 1997, State of Oregon – CARG000102

Assumed Business Name Registration filed December 1, 1995, Cargill Marine and Terminal, Inc., State of Oregon – CARG000104

(Kerr 0019) Agreement dated June 1, 1953 among Andrew Kerr, Mabel Kerr, Ann Kerr McDonald, Jane Kerr Platt, Peter Kerr, Laurie King Kerr, James McDonald, Thomas Kerr, S.E. Mikkelson, J.J. Sarsfield, and J.W.S. Platt and Cargill Incorporated, for sale of stock of Kerr Gifford & Co., Inc. – CARG003400 – CARG003413

Certificate of Dissolution and Articles of Dissolution of Kerr Gifford & Co., Inc. dated May 16, 1955, State of Oregon – CARG000105 – CARG000106

Articles of Incorporation of Kerr Gifford & Co., Inc. dated October 17, 1917 – CARG000120 – CARG000122

Articles of Dissolution and Certificate of Dissolution, Kerr Gifford & Co., Inc. filed May 15, 1970, State of Oregon – CARG000107 – CARG000111

Certificate of Incorporation and Articles of Incorporation of Kerr Gifford & Co., Inc. dated May 16, 1955, State of Oregon – CARG000123 – CARG000127

Cargill, Incorporated, Certificate of Legal Existence dated November 23, 1936, State of Oregon – CARG000112

Declaration of Purpose to Engage in Business in Oregon, Cargill, Incorporated, dated November 20, 1936, State of Oregon – CARG000113 – CARG000119

Information Blank, foreign Corporation, Cargill, Incorporated, dated November 20, 1936, State of Oregon – CARG000118

77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:
- a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
 - b. the dates such relationship existed;
 - c. the percentage of ownership of Respondent that is held by such other entity(ies);
 - d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;
 - e. provide any and all insurance policies for such affiliated entity(ies): which may possibly cover the liabilities of the Respondent at each Property; and
 - f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

RESPONSE:

Cargill has been affiliated with four other entities related to the Investigation Area. Cargill affiliated entities with a relationship to the Investigation Area include:

1. Rogers Terminal and Shipping has been a wholly owned subsidiary of Cargill, Inc. throughout the relevant period of time.

Cargill Incorporated
15615 McGinty Road West
Wayzata, MN 55391-2398

Rogers Terminal & Shipping
One Pacific Building
621 Pacific Avenue, Suite 109
Tacoma, WA 98402
Phone: 253-279-8798
Fax: 253-572-0977

Cargill has no knowledge of Rogers Terminal and Shipping insurance policies which may cover the liabilities of Cargill at this site.

2. CLD Pacific Grain, LLC is a joint venture between Cargill and Louis Dreyfus Corporation (Louis Dreyfus SAS), beginning December 3, 2001. Respondent and Louis Dreyfus own equal shares (50/50) of CLD Pacific Grain LLC.

Cargill Incorporated
300 East Pine Street
Seattle, WA 98122
Phone: 206-628-9500
Fax: 206-628-9506

Louis Dreyfus Corporation (Louis Dreyfus SAS)
152 Avenue Malakoff
75116 Paris, France

Cargill has no knowledge of any CLD Pacific Grain insurance policies which may cover the liabilities of Cargill at this site.

3. Excel Corporation d/b/a Excel Country Fresh Meats Company is a wholly owned subsidiary of Cargill, Inc., throughout the relevant period of time.

Cargill Incorporated
300 East Pine Street
Seattle, WA 98122
Phone: 206-628-9500
Fax: 206-628-9506

Cargill has no knowledge of any Excel Corporation insurance policies which may cover the liabilities of Cargill at this site.

Assumed Business Name Registration Renewal, Excel Corp., 12/1997 -
CARG000031 – CARG000034

(Corporate Authority to Do Business Documents 005) Corporate
Information compiled for EPA Response - CARG000140 –
CARG000141

(Corporate Authority to Do Business Documents 006) - CARG000142 –
CARG000143

4. Kerr-Gifford & Company - Cargill, Inc. acquired the stock of Kerr-Gifford and Co. on May 31, 1953. Kerr Gifford leased the T-4 Leasehold from the Secretary of State from 1942-1947. Kerr Gifford leased the T-4 Leasehold from the Port of Portland beginning in 1947. All interests under Kerr Gifford's lease were transferred to Cargill in October 1954. Kerr Gifford originally purchased the Globe Dock/ "O" Dock from Union Pacific for a grain terminal elevator. All interests in the dock transferred to Cargill in 1954. Cargill is unaware of any insurance policies related to Kerr Gifford which may cover the liabilities of Cargill at this site.

(Corporate Authority to Do Business Documents 002, 003, 004) -
CARG000128 - CARG000139.

Certificate of Amendment and Amendment to Certificate of
Incorporation For Cargill Export, Inc. filed December 21, 1984, State of
Delaware - CARG000005 - CARG000009

Certificate of Incorporation for Cargill Export, Inc., filed January 3,
1972, State of Delaware - CARG000011 - CARG000028

Rogers Terminal and Shipping Corporation Certificate of Authority
dated February 14, 1972 from State of Oregon, together with copy of
Application for Certificate of Authority filed same date - CARG000095
- CARG000097

(Irving 0111): Limited Liability Company Agreement Between Cargill
and Louis Dreyfus; 12/3/01 - CARG002948 - CARG002998

2007 Application for Renewal, Rogers Terminal and Shipping, filed
October 22, 2007, State of Oregon - CARG000098

2005 Application for Renewal, Rogers Terminal and Shipping filed
October 27, 2005, State of Oregon - CARG000099

Renewal of assumed business name, Rogers Terminal and Shipping filed
November 13, 2001, State of Oregon - CARG000100

Assumed Business Name/New Registration filed Nov 30, 1999, Rogers
Terminal and Shipping, State of Oregon - CARG000101

Assumed Business Name Registration, Rogers Terminal and Shipping,
filed Oct 9, 1997, State of Oregon - CARG000102

Assumed Business Name Registration filed December 1, 1995, Cargill
Marine and Terminal, Inc., State of Oregon - CARG000104

Certificate of Dissolution and Articles of Dissolution of Kerr Gifford &
Co., Inc. dated May 16, 1955, State of Oregon - CARG000105 -
CARG000106

Articles of Incorporation of Kerr Gifford & Co., Inc. dated October 17,
1917 - CARG000120 - CARG000122

Articles of Dissolution and Certificate of Dissolution, Kerr Gifford & Co., Inc. filed May 15, 1970, State of Oregon – CARG000107 – CARG000111

Certificate of Incorporation and Articles of Incorporation of Kerr Gifford & Co., Inc. dated May 16, 1955, State of Oregon – CARG000123 – CARG000127

Cargill, Incorporated, Certificate of Legal Existence dated November 23, 1936, State of Oregon – CARG000112

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.): and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

RESPONSE:

This question is not applicable.

Section 9.0 Compliance With This Request

79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:
- a. the name and current job title of all individuals consulted;
 - b. the location where all sources reviewed are currently reside; and
 - c. the date consulted.

RESPONSE:

Cargill reviewed relevant and available documentation for all Properties and interviewed relevant and available past and present employees to prepare its response to this request between June 2008 through April 2009.

Individuals consulted:

Gene Loffler
former Cargill Employee)
Operations Manager
CLD Pacific Grain, LLC
222 Southwest Columbia, Suite 1133
Portland, OR 97266
Phone: (503): 243-1133
Fax:(503): 243-5079
e-mail:Gene_Loffler@CLDPacific.com

Doug Dunlay
Vice, President, Grain Operations Manager
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-2568
Fax:952-742-4088
e-mail:Doug_Dunlay@cargill.com

Mark Bonk
Electrical Systems Technician
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-6973
Fax:952-742-4088
e-mail:Mark_Bonk@cargill.com

Dennis Klein
Cargill AgHorizons, Environmental Manager
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-5622
Fax:952-742-4088
e-mail:Dennis_Klein@cargill.com

Terry Johnson
(former Cargill employee)
Plant Manager
TEMCO, LLC
Tacoma, WA 98402
Phone: 253-472-3511
e-mail:terry.johnson@chsinc.com

Robert Taylor
Operations Leader
Cargill Grain & Oilseed Supply Chain, NA
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-4432
Fax: 952-742-4088
e-mail: Robert_Taylor@cargill.com

Kevin C. Bacon
Vice President
Rogers Terminal & Shipping
One Pacific Building
621 Pacific Avenue, Suite 109
Tacoma, WA 98402
Phone: 253-279-8798
Fax: 253-572-0977
e-mail: Kevin_Bacon@rogersterminal.com

Mark Herrick
Project Engineer
15407 McGinty Road West; MS 1
Wayzata, MN 55391
Phone: (952) 742-5620
Fax: (952) 742-4088
mark_herrick@cargill.com

80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

RESPONSE:

See response to question Number 79.

81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. document retention policy between 1937 and the present;
 - b. the approximate date of destruction;
 - c. description of the type of information that would have been contained in the documents;
 - d. the name, job title and most current address known by you of the person(s): who would have produced these documents; the person(s): who would have been responsible for the retention of these documents; the person(s): who would have been responsible for destroying the documents; and the person(s): who had and/or still have the originals or copies of these documents; and
 - e. the names and most current addresses of any person(s): who may possess documents relevant to this inquiry.

RESPONSE:

Given the fact that Cargill's operations in the Investigation area have existed for more than 50 years and given the fact that most of those operations concluded years ago, certain documents requested no longer exist, are not in Cargill's custody or control, or were not obtainable through ordinary diligence.

Cargill has reviewed all available documents and interviewed available employees and is unable to ascertain the dates of destruction for documents that no longer exist.

Cargill has reviewed all available documents and interviewed available employees and is unable to ascertain the name and related information for all persons who retained and/or destroyed any documents.

See Attached Document Records Retention Schedules and Document
Records Retention Manuals – CARG000144 – CARG000448

82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

RESPONSE:

In addition to those documents cited for each individual response, the following documents were consulted for background information in response to the requests, but were not specifically referenced in any response:

(T-4 0062 and 0063): Tolling Agreement; 11/28/2006 - CARG000784 - CARG000794

(Irving and T-4 0013): Check from Cargill to ODEQ; 11/16/01 - CARG003092 - CARG003093

(Irving 0115): Letter from ODEQ to Cargill re Application to change name on permit; 8/7/95 - CARG003007 - CARG003010

(Irving and T-4 0042): Letter from ODEQ to Cargill re Temporary Closure Status; 11/17/00 - CARG003214 - CARG003216

(Irving and T-4 0002): Letter from Cargill to OSHA with check; 4/12/93 - CARG003025 - CARG003026

(Irving and T-4 0003-0004, 0006, 0007, 0008, 0010): Letters re OSHA Commission Decision; Answer; 2/2/93; 6/10/91; 3/20/91; 11/7/90 and 2/4/91 - CARG003027 - CARG003031; CARG003063 - CARG003070; and CARG003080 - CARG003089

(Irving and T-4 0005): OSHA Review Commission Decision; 7/24/91 - CARG003042 - CARG003062

(Albina & Globe 0032): Survey - CARG003636 - CARG003637

(Irving 0013): Federal Communications Commission Assignment of Authorization - CARG002394 - CARG002401

(Irving 0014): Radio Station License; 11/9/95 - CARG002402 - CARG002409

(Irving 0017): Letter from Cargill Law Dept. to Brown and Schwaninger re Application for Assignment of Business Radio Service Stations, Related Application and Documents; 9/18/95 - CARG002410 - CARG002428

(Irving 0022-0030): Easement Agreement Re Underground Easements; 7/14/06, Related Documentation/Correspondence - CARG002435 - CARG002436 and CARG002473 - CARG002474

(Irving 0041): Temporary Construction Easement - CARG002549 - CARG002553

(Irving 0042): Shaft Easement – CARG002554 – CARG002567

(Irving 0056-0057): Trackage Agreement; Right-of-Way Agreement between Union Pacific and Cargill – CARG002657 – CARG002668

(Irving 0113): Letter from ODEQ to Cargill Attn to Superintendent, Gene Loffler re Notice of Construction; 6/9/98 – CARG002999 – CARG003001

(Irving & T-4 0022): Remittance Statement – CARG003111 – CARG003113

(Irving & T-4 0027): Remittance Statement – CARG003127 – CARG003128

(Irving & T-4 0031): Oregon State Fire Marshall, Haz. Substance Info. Survey – CARG003139 – CARG003142

(Irving and T-4 0018, 0019, and 0020): Letter from Cargill to Survey Unit re two hazardous waste surveys; Oregon State Fire Marshal Hazardous Substance Information Sheet - CARG003100 - CARG003110

(Kerr 0001, 0004, 0009, 0010, 0015, 0017): File Folders noting information regarding Dissolution of Kerr Gifford - CARG003346 – CARG003347; CARG003351 – CARG003352; CARG003374 – CARG003375; CARG003376 – CARG003378; CARG003389 – CARG003390; CARG003398 – CARG003399

(Kerr 0022): File Folder re Acquisition of Kerr Gifford 5/31/53 - CARG003442 – CARG003443

(LAW 722619): Email re: Tank Information – CARG001277 – CARG001278

(LAW 1144760): Letter from DEQ to the Port re: Draft Remedial Investigation and Stormwater Evaluation – CARG 001279 – CARG001291

(LAW 1603755): Site Access Agreement; 10/4/07 – CARG001336 – CARG001340

(LAW 2005918): Letter to ODEQ re T-4 Slip I Voluntary Agreement; 11/13/03 – CARG001432 – CARG001433

(T-4 0035): Notice of Public Hearing for Cargill's request to modify compliance schedule of Air Contaminant Discharge Permit; 6/10/74 – CARG000679 – CARG000685

(T-4 0037): File Folder re Lease of Elevator – CARG000690

(T-4 0039, 0130): Letter from Port of Portland to Cargill and others regarding Env. Investigation and Cleanup and Compliance Issues under the Cargill Leasehold. Port entering in V.C.P.; 11/26/03; 12/24/04 Letter from Port of Portland to Cargill and others regarding Env. Investigation and Cleanup and Compliance Issues under the Cargill Leasehold. Port

entering in V.C.P.; 11/26/03 – CARG000697 – CARG000700 and CARG001152 – CARG001156

(T-4 0046): Letter to Cargill/CLD Pacific Grain re Env. Contamination Issues to be Addressed Under Lease at T-4; 12/17/03 – CARG000706 – CARG000707

(T-4 0062 and 0063): Tolling Agreement; Dec. 2006 – CARG000784 – CARG000794

(T-4 0090): Letter from Pillsbury Winthrop Shaw Pittman to Cargill regarding Portland Harbor Tolling Agreement; 5/2/07 – CARG000955 – CARG000957

(T-4 0091): Letter from ODEQ to Port of Portland re Draft Remedial Investigation Report and SW Evaluation for T-4; 8/26/06 – CARG000958 – CARG000969

(T-4 0094): Letters from Cargill to Port re Cargill Leasehold and resolution of certain Environmental Matters; 10/6/05 – CARG000988 – CARG000992

(T-4 0096, 0122): Letters from Port to ODEQ; Response to Comments on Draft Remedial Investigation Work Plan and Addendum for Phase III Work Scope; 8/25/05; 8/2/04 – CARG001002 – CARG001012 and CARG001129 – CARG001143

(T-4 0100, 0123, 0132, 0134, 0135): Letters from Port to Cargill re additional demand for Reimbursement for Remedial Investigation Costs and Notice Re Certain Env. Issues Under lease; 3/13/05; 12/31/03; 11/26/03 – CARG001026 – CARG001029; CARG001144 – CARG001147; CARG001161 – CARG001177; CARG001178 – CARG001181; and CARG001182 – CARG001211

(T-4 0102): Letter from Cargill to Port and from Port to Cargill re Allegations Related to On-Site Disposal Practices; 6/3/05 – CARG001036 – CARG001039

(T-4 0107): Letter from Port to Cargill/CLD re explanation for why Port entered VCP; 11/26/03 – CARG001074 – CARG001077

(T-4 0109): Letter from Cargill AgHorizons to Port of Portland re Env. Site Assessment of T-4; 10/1/03 – CARG001081 – CARG001082

(T-4 0111): Letter from Port to Cargill re Env. Site Assessment of T-4; 6/20/03 – CARG001086 – CARG001095

(T-4 0119): Communication and report from NCA to Foss Env. re results of analysis for samples; 7/2/02 – CARG001120 – CARG001128

(T-4 0129): Letter from Cargill to the Port re response to Port's invitation to participate in Remedial Investigation Report; 12/29/03 – CARG001150 – CARG001151

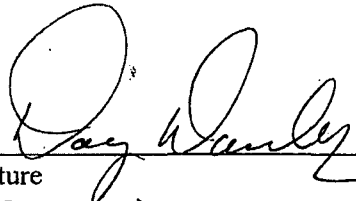
(T-4 0149): Letter from Cargill to Port re; unresolved environmental
issue under lease 10/6/05 – CARG001271 – CARG001275

(T-4 Title Insurance Policy): Kerr Gifford effective 6/23/48 –
CARG000449 – CARG000454

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on April 6, 2009.


Signature

Doug Dunlay
Type or Print Name

Vice President
Title

Mailing Address: 15407 MCGINTY ROAD WEST
P.O. Box 5624
M.S. 1
MINNEAPOLIS, MN 55440-
5624

U.S. EPA

CERCLA SECTION 104(e)

**FOLLOW-UP INFORMATION REQUEST TO
FIRST REQUEST FOR INFORMATION**

INFORMATION REQUEST QUESTIONS

Section 1.0 Respondent Information

1. Provide the full legal, registered name and mailing address of Respondent.

RESPONSE:

Cargill, Incorporated
15615 McGinty Road West
Wayzata, MN 55391-2398

2. For each person answering these questions on behalf of Respondent provide:
 - a. full name;
 - b. title;
 - c. business address; and
 - d. business telephone number, electronic mail address, and FAX machine number.

RESPONSE: Kimberly Thorstad

Sr. Attorney
15407 McGinty Road West; MS 24
Wayzata, MN 55391
Phone: (952) 742-0178
Fax: (952) 367-1639
kimberly_thorstad@cargill.com

Karen S. Farago
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15407 McGinty Road West; MS 24
Wayzata, MN 55391
Phone: (952) 742-0178
Fax: (952) 367-1639
karen_farago@cargill.com

Additional persons consulted in gathering information responsive to the questions include:

Gene Loffler
(former Cargill Employee)
Operations Manager
CLD Pacific Grain, LLC
222 Southwest Columbia, Suite 1133
Portland, OR 97201
Phone: 503-243-1133
Fax: 503-243-5079
e-mail:Gene_Loffler@CLDPacific.com

Doug Dunlay
Vice, President, Grain Operations Manager
Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-2568
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Mark Bonk
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15407 McGinty Road West
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Dennis Klein
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Cargill, Incorporated
15407 McGinty Road West
Wayzata, MN 55391
Phone: 952-742-5622
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Terry Johnson
(former Cargill employee)
Plant Manager
TEMCO, LLC
Tacoma, WA 98402
Phone: 253-472-3511
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Robert Taylor
Operations Leader
Cargill Grain & Oilseed Supply Chain, NA
15407 McGinty Road West
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Fax: 952-742-4088
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Kevin C. Bacon
Vice President
Rogers Terminal & Shipping
One Pacific Building
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e-mail:Kevin_Bacon@rogersterminal.com

Mark Herrick
Project Engineer
15407 McGinty Road West; MS 1
Wayzata, MN 55391
Phone: 952-742-5620
Fax: 952-742-4088
mark_herrick@cargill.com

Section 3.0 Description of Each property

3. Respondent indicated that there were underground storage tanks (USTs) and above-ground storage tank (ASTs) at Irving Dock and Port of Portland Terminal 4 associated with this business. Provide information regarding the location, design and contents of these structures.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Underground Storage Tanks

According to all available information, there may have been one (1) Underground Storage Tanks (UST) associated with the T-4 Leasehold during Cargill's occupancy.

During a 2003 DEQ file review of ECSI #272 performed by ATC, ATC obtained information about USTs located north of Slip 1 from the document "Site Assessment Program - Strategy Recommendation" dated May 29, 1998. According to that document, Cargill registered

UST #401, a 1,000 gallon diesel tank with the state. That UST was located southwest of the headhouse on the Cargill T-4 Leasehold and was removed in the 1980's with no leaks reported. Cargill is unaware of any specific documentation of soil testing for this UST.

Two (2) other USTs are mentioned on property adjacent to the Cargill leasehold. These tanks have been referred to as T-22 and T-85 in the ATC Site Assessment. However, the Tank Ids for those tanks may refer to the same tank, and in any case, those tanks do not appear to have been on property leased by, or the responsibility of Cargill. Specifically, the ATC Site assessment mentions that these two (2) other USTs north of Slip 1 at T-4 were registered to Terminal Foods, and occupied in 2003 by Cereal Foods. Cargill has no documentation of those tank(s).

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

ATC Environmental Site Assessment, December 4, 2003; Section 10.0
Conclusions, p. 46 – CARG001491

Letter from Linda C. Childers to Kristi Maitland, October 6, 2005 – T-4
0095 - CARG000993 - CARG001001

Memo from Thomas Mergy, ATC Associates, Inc. to Dennis Klein,
Cargill, Inc., January 29, 2004—CARG001063 - CARG001071

Aboveground Storage Tanks

According to all available information, there were three (3) Above Ground Storage Tanks at the T-4 Leasehold during Cargill's occupancy.

After the UST referenced above was removed, it was replaced with an approximately 500 gallon above-ground storage tank containing diesel fuel for fueling the locomotive (when on site) and the site's front-end loader. This tank was located on a slab, west of the rail shed and was inspected regularly and maintained as needed. The tank was double-walled and no spills or leaks associated with the tank have been reported. This tank was removed in 2003 at the request of the Port in preparation for termination of the Lease. ATC believed this tank to be the one designated by the Port as T4-45.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

The Cargill leasehold also had two (2) double walled AST's with approximately 250 gallons of capacity each located in a paved area north of the maintenance shop. These tanks were used for the collection of used oil from the shop, inspected regularly and maintained as needed. Used oil was collected from the tanks approximately once a year by a commercial recycling company. These tanks were removed when Cargill vacated the property in 2003. ATC believed these tanks corresponded to Port ID T4-47 and T4-48. In 2003, ATC representatives observed no evidence of surface staining on the asphalt surface in the area of the former ASTs.

In addition to the three ASTs, Cargill also used an above ground storage tank to collect and store grain dust. This tank was located above the railroad tracks southeast of the Cereal Foods building as reflecting in Appendix C of the T-4 Site Assessment. Grain dust is a by-product of grain handling activities and is sold as livestock feed. According to the MSDS for grain dust, there are no hazardous components.

The ATC global Site Assessment map also shows a fuel tank halfway between Cargill's Compressor House and Cereal Foods' warehouse (Building 160). Cargill has no further information regarding this tank. Available information indicates that this tank was likely owned by Cereal Foods.

CARG001059 – Table 1 – Proposed Changes and Rationale for AOC Activities and Analytical Methods – Terminal 4 Slip 1 Upland Facility

ATC Environmental Site Assessment, December 4, 2003; Section 6.3 Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

Letter from Linda C. Childers to Kristi Maitland, October 6, 2005 - T-4 0095 - CARG000993, - CARG001001

ATC Environmental Site Assessment, December 4, 2003, Appendix C - Site Plan - CARG001504 - CARG001505) (including map with tank locations

T-4 Soils Investigations

The Port of Portland may have conducted investigations in areas around several tanks at T-4 as a part of its Remedial Investigation.

Potential Areas of Concern Evaluation, Table 1, CARG001231-CARG001238

Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005, CARG000972-CARG000983

Letter from Kristi Maitland, Port of Portland, to Tom Gainer, June 1, 2005 - CARG001041 - CARG001046

Cargill has included all responsive documents in its possession, however, there may be additional documentation held by the Port of Portland or other parties privy to this investigation.

As part of its lease termination activities at T-4, Cargill performed a soils investigation and excavation project at the T-4 leasehold around Building C-11. A total of 88.11 tons of soil were removed and destroyed in this project. Soil sampling results are included with this response.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

Hydraulic Oil Contaminated Soils Cleanup - CARG001258-
CARG001264

Soil Recycling Certificate - CARG001073

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland

Underground Storage Tank

The Rogers Terminal & Shipping facility leasehold located at 11040 N. Lombard Ave., Portland, Oregon at T-4 had a 10,000 gallon tank which was decommissioned and removed in 1990. The UST was not used by Rogers Terminal during its occupancy of the facility. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs.

Ash Creek Associates Report - CARG003687 – CARG003719

Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop", where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

Rogers' "Tire Shop" Documentation- CARG003508 – CARG003514

Environmental Site Report, Hahn and Associates, October 30, 1989
CARG004163 – CARG004184

C. Irving Dock, 800 N. River Street:

Underground Storage Tanks

Prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documents for Irving Dock - CARG003333

Aboveground Storage Tanks

Currently, Irving Dock has three active, registered above-ground storage tanks. They are:

1. Mineral Oil Tank: 10,000 gallons, double-wall containment, protected by posts, located west of the rail dumper - See Irving Dock Site Map CARG004126.
2. Diesel Tank: 1,000 gallons (Split 500 each side), double-wall containment, protected by Jersey Barriers, located north of the dust silos See Irving Dock Site Map CARG004126.
3. Hydraulic Oil Tank: 400 gallons, tank contained in outer tank that also supports motor and pump, located northwest of the truck dumper and office See Irving Dock Site Map CARG004126.

There have been no reported spills or leaks from any of the active above-ground storage tanks.

Although not an AST, a 110 gallon plastic container located on site was historically used for Malathion until Cargill ceased using Malathion in 1997.

Irving Dock Site Plan – CARG004114 – CARG004125

Site Map – CARG004126

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345

4. Respondent indicated that there were USTs and ASTs at Irving Dock and Port of Portland Terminal 4 associated with this business. Provide the current status of these tanks (e.g., in-use, closed, etc.) along with supporting information and sampling data.

RESPONSE:

A. Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

Underground Storage Tanks

According to all available information, there may have been one (1) Underground Storage Tanks (UST) associated with the T-4 Leasehold during Cargill's occupancy.

During a 2003 DEQ file review of ECSI #272 performed by ATC, ATC obtained information about USTs located north of Slip 1 from the document "Site Assessment Program - Strategy Recommendation" dated May 29, 1998. According to that document, Cargill registered UST #401, a 1,000 gallon diesel tank with the state. That UST was located southwest of the headhouse on the Cargill T-4 Leasehold and was removed in the 1980's with no leaks reported. Cargill is unaware of any specific documentation of soil testing for this UST.

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ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

ATC Environmental Site Assessment, December 4, 2003; Section 10.0
Conclusions, p. 46 – CARG001491

Letter from Linda C. Childers to Kristi Maitland, October 6, 2005 – T-4
0095 - CARG000993 - CARG001001

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ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

The Cargill leasehold also had two (2) double walled AST's with approximately 250 gallons of capacity each located in a paved area north of the maintenance shop. These tanks were used for the collection of used oil from the shop, inspected regularly and maintained as needed. Used oil was collected from the tanks approximately once a year by a commercial recycling company. These tanks were removed when Cargill vacated the property in 2003. ATC believed these tanks corresponded to Port ID T4-47 and T4-48. In 2003, ATC representatives observed no evidence of surface staining on the asphalt surface in the area of the former ASTs.

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The ATC global Site Assessment map also shows a fuel tank halfway between Cargill's Compressor House and Cereal Foods' warehouse (Building 160). Cargill has no further information regarding this tank. Available information indicates that this tank was likely owned by Cereal Foods.

CARG001059 – Table 1 – Proposed Changes and Rationale for AOC
Activities and Analytical Methods – Terminal 4 Slip 1 Upland Facility

ATC Environmental Site Assessment, December 4, 2003; Section 6.3
Storage Tanks, pp. 35 – 36 - CARG001480 and CARG1481

Letter from Linda C. Childers to Kristi Maitland, October 6, 2005 - T-4
0095 - CARG000993 - CARG001001

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505) (including map with tank
locations

T-4 Soils Investigations

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Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005, CARG000972-CARG000983

Letter from Kristi Maitland, Port of Portland, to Tom Gainer, June 1, 2005 - CARG001041 - CARG001046

Cargill has included all responsive documents in its possession, however, there may be additional documentation held by the Port of Portland or other parties privy to this investigation.

As part of its lease termination activities at T-4, Cargill performed a soils investigation and excavation project at the T-4 leasehold around Building C-11. A total of 88.11 tons of soil were removed and destroyed in this project. Soil sampling results are included with this response.

ATC Environmental Site Assessment, December 4, 2003, Appendix C - Site Plan - CARG001504 - CARG001505

Hydraulic Oil Contaminated Soils Cleanup - CARG001258-CARG001264

Soil Recycling Certificate - CARG001073

B. Rogers Terminal & Shipping, 11040 N. Lombard Avenue, Portland

Underground storage tank

The Rogers terminal and shipping facility leasehold located at 11040 N. Lombard Ave., Portland, Oregon at T-4 had a 10,000 gallon tank which was decommissioned and removed in 1990. The UST was not used by Rogers Terminal during its occupancy of the facility. Two soil samples were collected from the excavation, and test results from the samples were below the matrix standards for USTs.

Ash Creek Associates Report - CARG003687 – CARG003719

Other sampling in the vicinity of the Rogers Terminal Facility may also be found in the Ash Creek Report.

An aboveground oil storage tank was also observed not on the leased portion of the Rogers Terminal and Shipping facility but across from the old tire shop during the Hahn & Associates site assessment, just outside of the Parcel I and III boundaries. This 1,000 gallon tank was reportedly used for waste oil by Rogers Terminal and Shipping and other unrelated entities. Soil contamination was observed around the tank. Spencer Environmental Services reportedly picked up the used oil for recycling.

In February 1997, Rogers Terminal and the Port of Portland performed an environmental inspection prior to the termination of Rogers' prior lease at the site. The inspection indicated that the facility was organized and kept in good shape. There was, however, an area around the former "tire shop", where old tires had accumulated and a small area of waste oil needed to be removed. Rogers remediated the area. Subsequent to the remediation, Rogers' consultant, Braun Intertec Corporation, performed soil sampling of the area, and all samples tested clean. Accordingly, the Port issued a letter November 24, 1997 stating that the area had been satisfactorily cleaned.

Rogers' "Tire Shop" Documentation – CARG003508 – CARG003514

Environmental Site Report, Hahn and Associates, October 30, 1989 -
CARG004163 – CARG00 4184

C. Irving Dock, 800 N. River Street:

Underground Storage Tanks

Prior to Cargill's acquisition of this facility from Bunge in 1995, two 550 gallon double-walled metal USTs, one containing diesel fuel and one containing gasoline, were removed from the facility in 1991. The tanks were located approximately 75 feet from the Willamette River.

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345, CARG003315 (question f.)

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Cargill performed a visual investigation of the soils on site as a part of its Preliminary Environmental Evaluation prior to acquiring the property in 1995. No spills or leaks were detected from either Bunge's investigation or Cargill's investigation. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Preliminary Environmental Evaluation for Irving Dock, May 31, 1995 –
CARG003314 – CARG003318

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due
Diligence Documents for Irving Dock - CARG003333

Aboveground Storage Tanks

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1. Mineral Oil Tank: 10,000 gallons, double-wall containment, protected by posts, located west of the rail dumper - See Irving Dock Site Map CARG004126.

2. Diesel Tank: 1,000 gallons (Split 500 each side), double-wall containment, protected by Jersey Barriers, located north of the dust silos See Irving Dock Site Map CARG004126.
3. Hydraulic Oil Tank: 400 gallons, tank contained in outer tank that also supports motor and pump, located northwest of the truck dumper and office See Irving Dock Site Map CARG004126.

There have been no reported spills or leaks from any of the active above-ground storage tanks.

Although not an AST, a 110 gallon plastic container located on site was historically used for Malathion until Cargill ceased using Malathion in 1997.

Irving Dock Site Plan – CARG004114 – CARG004125

Site Map – CARG004126

Due Diligence Documentation on Irving Dock – CARG003312 –
CARG003345

5. The maps provided by Respondent were not legible. Provide legible maps that are responsive to the question.

RESPONSE:

With this response, Cargill has provided the best possible electronic copies of the maps in its possession. In addition, certain maps have been blown up and provided in hard copy, (and color where appropriate), with this response for additional clarity. These maps are Irving Dock Site Map - CARG004126, Port of Portland Site Map of Terminal 4 Slip 1 - CARG001057 (color), and ATC Site Plan Map - CARG001505; and Rogers Terminal Lease Exhibit Map - CARG003472.

6. The Terminal 4 site assessment provided by Respondent indicated that there was a transformer building located on Respondent's property. Provide the location of this building and Respondent's affiliation (e.g., owner, leasee, etc.) with this building and the transformers.

RESPONSE:

Although Cargill has no knowledge of PCB manufacture, use, storage, handling, disposal, release or threatened release from such location, the Site Plan located in Appendix C of the December 4, 2003, Environmental Site Assessment reflects that there was a transformer building ("Transformer House") located immediately Southwest of the grain elevators on the Cargill T-4 Leasehold.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

This building was apparently wrecked and removed by a permit dated April 5, 1977 and completed by July 7, 1977. Cargill does not have this permit in its records, and current and former Cargill employees who have been interviewed for this response have no recollection that Cargill had any use, ownership interest or affiliation with this building or any transformers that may have been associated with the building. Electrical transformers located at the leasehold during Cargill's occupancy were generally owned and maintained by the local power company.

ATC Environmental Site Assessment, December 4, 2003, p. 36-37,
CARG001481 - CARG001482

7. Describe the locations of grain elevators and storage units at each location. Provide specification of paints/finishes used on the grain elevators and describe maintenance activities. Additionally, provide any information regarding sampled soils in the vicinity of the grain elevators.

RESPONSE:

Cargill T-4 Leasehold, 11000 N. Lombard Avenue, Portland:

The location of Respondents' former grain elevators and storage units at the T-4 leasehold is generally on the Northeast side of the leased premises as is shown on the maps within ATC's December 3, 2003 Environmental Site Assessment.

Appendix C - Site Plan - CARG001504 - CARG001505

Outside contractors were hired for painting of the grain elevators. Paints/finishes used on the grain elevators included epoxy primers and polyurethane topcoats. Maintenance activities on the grain elevators and storage units involved mechanical and electrical repairs to motors, conveyors belts, and all other equipment necessary to conduct grain storage, transfer and shipping at the facility.

As part of its decommissioning activities at T-4, Cargill performed a soils investigation and excavation project around Building C-11, between the referenced tanks and the Willamette River,

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

Hydraulic Oil Contaminated Soils Cleanup CARG 001258-
CARG001264

The Port of Portland may have conducted investigations in areas around several tanks at T-4 as a part of its Remedial Investigation.

Potential Areas of Concern Evaluation, Table 1, CARG001231-CARG001238

Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005, CARG000972-CARG000983

Letter from Kristi Maitland, Port of Portland, to Tom Gainer, June 1, 2005 - CARG001041 - CARG001046

Cargill has included all responsive documents in its possession, however, there may be additional documentation held by the Port of Portland or other parties privy to this investigation.

Irving Dock, 800 N. River Street:

The location of the grain elevators and storage units at the Irving Dock facility is generally located on the North and East side of the property leased by CLD.

Irving Dock Site Plan – CARG004114 – CARG004125

During Cargill's ownership of the facility there has not been significant painting of the grain elevators. Maintenance activities on the grain elevators and storage units involved mechanical and electrical repairs to motors, conveyors belts, and all other equipment necessary to conduct grain storage and shipping at the facility.

Bunge Corporation conducted soils investigations around both the underground storage tanks prior to Cargill's acquisition of the property. Results of soils samples around the former USTs are contained in the Haymond and Associates report, CARG003333.

Irving Dock Site Map – CARG004126

Haymond & Associates, Inc. Report, December 17, 1991, within Due Diligence Documents for Irving Dock - CARG003333

Preliminary Environmental Evaluation - CARG003314-CARG003317

Section 4.0 Respondent's Operational Activities

8. Provide information regarding the use of all hazardous substances, including pesticides and rodenticides at the Irving Dock property. Specifically, describe where and how these products are used in the Respondent's operational activities.

RESPONSE:

Cargill purchased the Irving Dock facility from Bunge in 1995 and operated it until 2001. Since 2001 the property has been leased to CLD Pacific. Incident to grain handling practices at Irving Dock, operators of the facility have at times used insecticides and rodenticides in site operations, including historically Malathion and phosphide.

Aluminum phosphide has been used to fumigate grain on ships at the Irving Dock facility. Until 1997, Malathion was historically sprayed on selected shipments of wheat being loaded for export. The wheat was sprayed on a conveyor as the wheat was loaded into the ships. Malathion was pumped from a mixing tank encased in secondary containment to be sprayed on to the conveyor. The Malathion was stored in drums within a secondary containment box located on the West side of the grain elevators and mixed in plastic containers.

Irving Dock Site Map, "E" - CARG004126

The use of Malathion ceased in 1997. Operators of the site, including Cargill have also contracted with various pest control management companies from time to time. Such management companies used bait boxes to contain all substances. Portions of the facility have also been fogged approximately annually with Pyrocidide.

9. Respondent indicated that there was a mechanical pit constructed of concrete under the car tipper at the Terminal 4 property. Respondent provided information that the pit contained a sump for hydraulic fluid and that oil was observed in the sump and staining was present on the floor of the pit. Provide the status of this sump and the underground piping that connected to the pumps to the rail-car mover units and any information regarding investigations and remedial actions for this sump.

RESPONSE:

When Cargill left the T-4 leasehold in 2003, the sump under the car tipper was inactive. In the 2003 ATC site assessment, approximately 10 gallons of water and oil mix was found in the sump in the mechanical pit beneath the car tipper at the Cargill T-4 Leasehold. This liquid was observed and removed in 2003 as a part of Cargill's lease termination activities. At that time, ATC observed no cracks or apparent stress fractures in the concrete pit.

ATC Environmental Site Assessment, December 4, 2003 at p. 36 - 37
CARG001481 – CAR001482

Cargill is not aware of any underground piping that exists from the sump. The ATC Site Assessment indicates that the sump was historically pumped to ground level for off-site disposal. Underground piping, if any, connecting hydraulic pumps to the rail car mover units was also inactive as of 2003.

The Port of Portland may have conducted investigations related to the car tipper shed as a part of its Remedial Investigation. Other than the ATC Site Assessment and the Port's Remedial Investigation, Cargill is unaware of any other investigations or remedial actions for this sump. Cargill has included all responsive documents in its possession, however, there may be additional documentation held by the Port of Portland or other parties privy to the Remedial Investigation.

Potential Areas of Concern Evaluation, Table 1 - CARG001232

Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005 - CARG000972-CARG000983

ATC Environmental Site Assessment, December 4, 2003 CARG001483
- CARG001484

Proposed RI Sampling locations CARG001058 - CARG001059

Section 6.0 Releases and Remediation

10. The Terminal 4 site assessment provided by Respondent indicated that dark surface staining was observed between and along the railroad tracks where the prior on-site locomotive operated on this section of the rail. The presence of oil on the surface soil would require a review of any sampling done in this area. Provide any information regarding investigations of this area.

RESPONSE:

Documents from the Port of Portland indicate that the Port may have investigated railroad track staining at T-4 as a part of its Remedial Investigation. Other than the ATC Site Assessment and the Port's Remedial Investigation, Cargill has no other information concerning investigations in this area, however, there may be additional documentation held by the Port of Portland or other parties privy to the Remedial Investigation.

Potential Areas of Concern Evaluation, Table 1, CARG001232

Letter from Michael Pickering to Kristi Maitland and related documentation, October 5, 2005, CARG000972-CARG000983

Proposed RI Sampling locations CARG001058 - CARG001059

11. The Terminal 4 site assessment provided by Respondent mentions a release of gear grease at Pier 1 that went into the Slip in 1984. Provide all information you have regarding this incident.

RESPONSE:

The only information Cargill has regarding this incident is contained within the ATC site assessment for T-4. Those documents indicate Cargill had a release of gear grease at Pier 1 that went into the Slip which was responded to by Reidel Environmental in 1984.

ATC Environmental Site Assessment, December 4, 2003, . p. 38 -
CARG001483

12. The Terminal 4 site assessment which was provided to EPA provided by Respondent mentions a release on September 25, 1993, of approximately 1/2 gallon of Chevron AW 32 hydraulic oil to the Willamette River when a hydraulic hose failed at the barge slip. The document indicates that Riedel Environmental Services conducted the cleanup of the spill; however, there was no information provided to substantiate this. Please provide any reports or documents that further describe the spill event and cleanup activities by Riedel Environmental Services or Respondent (e.g., field notes, reports, etc.).

RESPONSE:

The ATC Environmental Site Assessment includes several documents describing this release and Cargill's actions to address the September 25, 1993 spill of 1/2 gallon of Chevron AW 32 hydraulic oil. These documents include:

1. Environmental Activity Report, September 25, 1993 – CARG001934.
2. Hand-written Notes of Cargill employee – CARG001935.
3. Typed Message from Doug Laurents to Dennis Klein – CARG001936.
4. Letter from Paul Christiansen, Oregon Department of Environmental Quality, to Mr. Doug Dunlay, Cargill Incorporation, September 27, 1993 – CARG001937.
5. Spill Report, Cargill Internal Memo by Doug Dunlay to Paul Christiansen, October 4, 1993 – CARG001938 – CARG001939.
6. Agency Notification Record, Mark Bonk, September 25, 1993 – CARG001940.
7. Spill Reporting Form, Mark Bonk – CARG001941.

As noted by these documents, Cargill immediately responded to the release, notified authorities of the release and used using 3M oil absorbent pads to pick up oil from the river. Cargill's environmental contractor was on site within an hour and a half and there was no visible sheen or odor remaining after the clean up.

13. The Terminal 4 site assessment provided by Respondent indicated that there was a transformer building located on Respondent's property. Provide information regarding the type of fluid used in the transformers in this building and if there were any spills or releases of transformer fluids from either the transformers or the building.

RESPONSE:

Although Cargill has no knowledge of PCB manufacture, use, storage, handling, disposal, release or threatened release from such location, the Site Plan located in Appendix C of the December 4, 2003 Environmental Site Assessment reflects that there was a transformer building located immediately Southwest of the grain elevators on the Cargill T-4 Leasehold. This building was apparently wrecked and removed by a permit dated April 5, 1977.

ATC Environmental Site Assessment, December 4, 2003, Appendix C -
Site Plan - CARG001504 - CARG001505

ATC Environmental Site Assessment, December 4, 2003, p. 36-37,
CARG001481 – CARG0001482

Cargill does not have this permit in its records, and current and former Cargill employees who have been interviewed for this response have no recollection that Cargill had any use, ownership, interest or affiliation with this building or any transformers that may have been associated with the building. Electrical transformers located and the leasehold during Cargill's occupancy were general owned and maintained by the local power company.

Respondent has no information regarding the type of fluid potentially used with any transformers in this building. Respondent is further not aware of any spills associated with any transformers potentially stored in this building or the building itself.

The Port of Portland may have conducted investigations around the former transformer building at T-4 as a part of its Remedial Investigation.

Potential Areas of Concern Evaluation, Table 1, CARG001232

Letter from Michael Pickering to Kristi Maitland and related
documentation, October 5, 2005, CARG000972-CARG000983

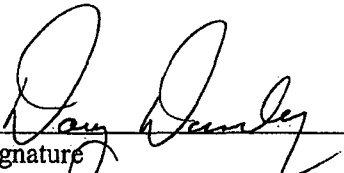
Proposed RI Sampling locations CARG001058 – CARG001059

Respondent has included all responsive documents in its possession. There may be additional documentation held by the parties privy to the Remedial Investigation.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on April 6, 2009


Signature

Doug Duenkel
Type or Print Name

Vice President
Title:

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